

CITY OF DENTON CITY COUNCIL MINUTES

July 25, 2023

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, July 25, 2023, at 3:00 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, Paul Meltzer, Brandon Chase McGee, Joe Holland, and Chris Watts

ABSENT: None

Also present were Assistant City Manager Cassey Ogden and City Attorney Mack Reinwand.

The posted agenda noted the registration process for in-person, call-in, and public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. In-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.

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 item:
 - Council Member Watts: Individual Consideration Item 5.A (23-1191)
- The following item was pulled for Individual Consideration:
 - Mayor Pro Tem Beck: Consent Item 4.C (23-1431)

3. Work Session Reports

- A. ID 23-1173 Receive a report, hold a discussion, and give staff direction regarding an update on the 88th Session of the Texas Legislature. [Estimated Presentation/Discussion Time: 1 hour, 30 minutes]

The item was presented and discussion followed.

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

The work session ended at 4:15 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 4:15 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

- A. ID 23-1292 Consultation with Attorneys - Under Texas Government Code Section 551.071 Consult with City attorneys regarding adoption of an ordinance of the City of Denton, Texas regarding a reasonable accommodation in accordance with the Federal Fair Housing Act related to the maximum number of unrelated persons occupying a dwelling located at 2413 Kayewood Drive in the City of Denton, Denton County, Texas, where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

DELIBERATED

The closed meeting was recessed for a short break at 5:11 p.m. and reconvened at 5:30 p.m.

- B. ID 23-1450 Consultation with Attorneys - Under Texas Government Code Section 551.071 Consult with City attorneys regarding HB 2127, SB 12, and other bills passed in the 88th legislative session, where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

DELIBERATED

The closed meeting started at 4:20 p.m. and ended at 6:05 p.m. No votes or actions were taken during the closed meeting.

The meeting was recessed at 6:05.

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, July 25, 2023, at 6:22 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, Paul Meltzer, Brandon Chase McGee, Joe Holland, and Chris Watts

ABSENT: None

Also present were Assistant City Manager Cassey Ogden and City Attorney Mack Reinwand.

The posted agenda noted the registration process for in-person, call-in, and public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary

as it was submitted. In-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-H. During the Work Session held earlier in the day, Item 4.C (23-1431) was pulled for Individual Consideration by Mayor Pro Tem Beck.

Mayor Pro Tem Beck moved to adopt the Consent Agenda, now consisting of Items 4.A-B and D-H. Motion seconded by Council Member Byrd.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

- A. ID 23-034 Consider approval of the minutes of the July 18, 2023 Meeting.

APPROVED

- B. ID 23-064 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Community Services Advisory Committee

APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

- D. ID 23-1374 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 National Screening Bureau, LLC dba NATSB LLC, for pre-employment and post-offer background checks for the Human Resources Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8221 - awarded to National Screening Bureau, LLC dba NATSB LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total (5) year not-to-exceed amount of \$695,750.00).

ASSIGNED RESOLUTION NO. 23-1374

- E. ID 23-1375 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 The Center for Nonprofit Management, Inc. dba CNM, for project evaluation and nonprofit management training for nonprofit agency staff for the Community Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8275 - awarded to The Center for Nonprofit Management, Inc. dba CNM, in the not-to-exceed amount of \$115,000.00).

ASSIGNED RESOLUTION NO. 23-1375

- F. ID 23-1378 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 8187 for the Comprehensive Rebranding Initiative; and providing an effective date (RFP 8187).

ASSIGNED RESOLUTION NO. 23-1378

- G. ID 23-1289 Consider adoption of an ordinance amending Chapter 18 “Motor Vehicles and Traffic”, Article III “Speed of Vehicles”, Section 18-73 “Speed Limits on Certain Roads and Highways”, “City Streets”, “University Campus Streets”, “School Zones” of the code of ordinances of the City of Denton, to change the locations, extent, and speed limits of certain city streets and speed zones in the vicinity of a school; providing a repealer clause; providing a savings clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.

ASSIGNED RESOLUTION NO. 23-1289

- H. ID 23-1405 Consider approval of a resolution of the City of Denton authorizing the submission of an application to the Texas Parks and Wildlife Department (TPWD) Local Parks Grant Program 2024 in the amount of \$750,000 for materials and construction costs to renovate Brierclyff Park; and providing an effective date.

ASSIGNED RESOLUTION NO. 23-1405

ITEM(S) PULLED FOR INDIVIDUAL CONSIDERATION

- C. ID 23-1431 Consider adoption of an ordinance of the City of Denton amending Chapter 2, Article II, Section 2-30 of the Code of the City of Denton (City Council requests for information or agenda items), to require a consensus of a supermajority of councilmembers for a request for a resolution or ordinance to be placed on an agenda prior to a work session on the request; providing a repealer clause; providing a severability clause, providing a savings clause; and providing an effective date.

ASSIGNED RESOLUTION NO. 23-1431

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

The item was not presented and no discussion followed.

Council Member Meltzer moved to adopt the item as presented. Motion seconded by Council Member Watts.

Motion carried.

AYES (4): Mayor Hudspeth, Council Members Holland, Meltzer, and Watts

NAYS (3): Mayor Pro Tem Beck and Council Members Bryd, and McGee

5. ITEM(S) FOR INDIVIDUAL CONSIDERATION

- A. ID 23-1191 Consider adoption of an ordinance of the City of Denton, Texas, regarding a reasonable accommodation in accordance with the Federal Fair Housing Act related to the maximum number of unrelated persons occupying a dwelling located at 2413 Kayewood Drive, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and providing an effective date.

ASSIGNED RESOLUTION NO. 23-1191

All members of the City Council received the comments as submitted and had the opportunity to review all submissions prior to the start of the meeting and consider such comments when voting on the item. The summary of public commentary/registrations are noted on Exhibit A.

The item was presented and discussion followed.

Citizen comments received are noted on Exhibit A.

Council Member Watts moved to postpone the item to the August 1, 2023 meeting, giving time for staff to complete the scheduled inspection of the subject property. Motion seconded by Council Member McGee.

More discussion followed.

Following discussion, Council Member Watts withdrew his motion to postpone the item. Council Member McGee withdrew his second.

Council Member Holland made a motion to postpone the item to the August 1, 2023 meeting, after the scheduled inspection of the subject property. Motion seconded by Mayor Pro Tem Beck.

Motion failed.

AYES (2): Mayor Pro Tem Beck and Council Member Holland

NAYS (5): Mayor Hudspeth, and Council Members Byrd, Meltzer, McGee, and Watts

Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Watts.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

6. PUBLIC HEARING(S)

- A. DCA23-0002a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code related to Short-Term Rental uses, specifically amendments to Section 5.3.5T.1.b and 5.3.5T.2.e.iii related to removing the primary residency requirements associated with a short-term rental property; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Pruett. (DCA23-0002a, Short-Term Rental Primary Residence Code Amendment, Ron Menguita)

ASSIGNED ORDINANCE NO. 23-DCA23-0002a

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 Holland.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

- B. SD23-0001a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing a Special Sign District on an approximately 152 acre property generally located on the southwest corner of Bronco Way and North Bonnie Brae 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 \$500.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Cole. (SD23-0001a, Denton High School Special Sign District)

ASSIGNED ORDINANCE NO. SD23-0001a

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 Meltzer 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, Meltzer,
Holland, McGee, and Watts
NAYS (0): None


7. **CONCLUDING ITEMS**

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:17 p.m.



GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS



JESUS SALAZAR
INTERIM CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: AUGUST 15, 2023