

CITY OF DENTON CITY COUNCIL MINUTES  
September 26, 2023

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, September 24, 2023, at 2:03 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, Brandon Chase McGee, Paul Meltzer, and Joe Holland.

ABSENT: Council Member Chris Watts.

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. Citizen Comments on Consent Agenda Items**

None

**2. Requests for clarification of agenda items listed on this agenda for public hearing and individual consideration.**

**A. ID 23-644 Meeting Questions, Responses & Handouts**

- Clarification was requested of the following item:
  - o Mayor Hudspeth: Item 4. AK (23-1803) (Pulled off agenda)
- The following item was pulled For Individual Consideration:
  - o Mayor Pro Tem Beck: Item 4.B (23-069)

**3. Work Session Reports**

**A. ID 23-425 Receive a report, hold a discussion, and give staff direction regarding Audit Project 033 - Pedestrian & Cyclist Safety.**

The item was presented, and discussion followed.

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

**B. ID 23-595 Receive a report, hold a discussion, and give staff direction regarding Audit Project 007 - Accounts Payable: Second Follow-Up Review.**

The item was presented, and discussion followed.

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

Council Member Watts arrived at 2:32 p.m.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck, and Council Members Vicki Byrd, Brandon Chase McGee, Paul Meltzer, Joe Holland, and Chris Watts.

ABSENT: None

- C. ID 23-925 Receive a report, hold a discussion, and give staff direction regarding Audit Project 014 - Facilities Maintenance: Second Follow-Up Review.

The item was presented, and discussion followed.

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

- D. ID 23-593 Receive a report, hold a discussion, and give staff direction regarding Audit Project 034 - Fire Prevention.

The item was presented, and discussion followed.

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

- E. ID 23-683 Receive a report, hold a discussion and give staff direction on the City of Denton Aquatics Master Plan.

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 3:36 p.m.

The Mayor recessed for a short break at 3:36 p.m.

The Mayor reconvened the meeting at 3:47 p.m.

### **CLOSED MEETING**

1. The City Council convened into a Closed Meeting at 3:36 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

- A. ID 23-1572 Deliberations regarding Real Property - Under Texas Government Code Section 551.072 Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in J. Fisher Survey, Abstract No. 421, in the City of Denton, Denton County, Texas, located near Hunters Creek and Teasley Road for relocation of Fire Station 6, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.

#### **DELIBERATED**

- B. ID 23-1894 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074. Deliberate and discuss the evaluation, duties, discipline, dismissal, compensation, and/or contract of the City Manager.

#### **DELIBERATED**

The closed meeting started at 3:47 p.m. and ended at 4:45 p.m. No votes or actions were taken during the closed meeting.

The Mayor recessed the meeting at 4:45 p.m. for dinner.

The Mayor reconvened the meeting at 5:20 p.m. in the Council Chamber to continue the meeting.

### **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, September 26, 2023, at 5:20 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, Paul Meltzer, Joe Holland, Brandon Chase McGee, and Chris Watts

ABSENT: None

Also present were City Manager Sara Hensley and City Attorney Mack Reinwand.

**The posted agenda noted the registration process for 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-AX). During the Work Session held earlier in the day, Item 4. B (23-069) was pulled for Individual Consideration by Mayor Pro Tem Beck. Item 4. AK 23-1803 was replaced on the consent agenda.

Mayor Pro Tem Beck moved to adopt the Consent Agenda, now consisting of Items 4. A, C - AX. Motion seconded by Council Member McGee.

Motion carried.

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

NAYS (0): None

- A. ID 23-044 Consider approval of the minutes of the September 12, 2023 Meeting.

**APPROVED**

- C. ID 23-1557 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement between the City of Denton and the Children's Advocacy Center for Denton County, providing for client and clinical services to victims of child abuse and non-offending family members; and providing for the expenditure of funds in the amount of \$226,292; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 23-1557**

- D. ID 23-1740 Consider adoption of an ordinance of the City of Denton approving an Assignment of Airport Lease from Daniela V. Wagstaff, Independent Executor of the Estate of Ronald John Gowan, deceased to Doug Bryan covering property at 4810 Lockheed Lane, Denton, Texas at the Denton Enterprise Airport; authorizing the City Manager to execute the Assignment of Airport Lease; and providing an effective date. Airport Advisory Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 23-1740**

- E. ID 23-1739 Consider adoption of an ordinance of the City of Denton approving a Consent to Subsublease between Ezell Aviation, Inc., Wesley Pearce and William Garn, a Texas general partnership, dba Precision Aircraft Maintenance, and Victory Aviation Supplies, LLC, for the lease covering the property located at 5011 Sabre Lane, at the Denton Enterprise Airport; and providing an effective date. Airport Advisory Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 23-1755**

- F. ID 23-1755 Consider adoption of an ordinance of the City of Denton approving an Assignment of Airport Lease from Petersen Hangars, LLC to DSR-Cherokee 180, LLC covering property at 922 Aeronca Lane, Denton, Texas at the Denton Enterprise Airport; authorizing the City Manager to execute the Assignment of Airport Lease; and providing an effective date. Airport Advisory Board recommends approval (4-0).

**ASSIGNED ORDINANCE NO. 23-1755**

- G. ID 23-1448 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Grace Like Rain, Inc. dba Giving Grace to provide general fund dollars for Street Outreach program services in furtherance of the coordinated system of homelessness assistance programs in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$125,450.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1448**

- H. ID 23-1447 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and United Way of Denton County to provide general fund dollars for the Barriers Fund for the prevention and diversion from homelessness in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$80,000.00; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 23-1447**

- I. ID 23-1446 Consider adoption of an ordinance of the City of Denton authorizing the city manager to execute a funding agreement between the City and United Way of Denton County to provide general fund dollars for a grant to fund Homeless Management Information System licenses in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$18,000.00; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 23-1446**

- J. ID 23-1445 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and United Way of Denton County to provide general fund dollars for a coordinated system of homeless assistance programs in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$80,000.00; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 23-1445**

- K. ID 23-1268 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and SPAN, Incorporated to provide Community Development Block Grant funds and General Fund Dollars for The Senior Nutrition Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$25,500.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1268**

- L. ID 23-1267 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Grace Like Rain, Inc. DBA Giving Grace to provide American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for the Housing Focused Case Management Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$50,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1267**

- M. ID 23-1266 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton County Friends of The Family, Inc. to provide Community Development Block Grant Funds for The Domestic Violence and Sexual Assault Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$50,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1266**

- N. ID 23-1265 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton City-County Day School, Inc. to provide Community Development Block Grant funds for the Preschool Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$25,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1265**

- O. ID 23-1258 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and The Salvation Army, a Georgia Corporation, to provide General Fund Dollars for the Salvation Army KARE Kitchen and Food Pantry in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$35,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1258**

- P. ID 23-1257 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and PediPlace to provide General Fund Dollars for the Child Healthcare Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$30,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1257**

- Q. ID 23-1256 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Our Daily Bread, Inc. to provide General Fund Dollars for Security and Program Services in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$45,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1256**

- R. ID 23-1255 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Opening Doors International Services, Inc. to provide General Fund Dollars for immigration services in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$15,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1255**

- S. ID 23-1254 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Health Services of North Texas, Inc. to provide General Fund Dollars for The Poverty Primary Care Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$50,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1254**

- T. ID 23-1251 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton County MHMR Center to provide General Fund Dollars for the Local Outreach to Suicide Survivors (LOSS) Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$28,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1251**

- U. ID 23-1250 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Denton Christian Preschool, Inc. to provide General Fund Dollars for the Preschool Education Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$25,179.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1250**

- V. ID 23-1239 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Communities in Schools of North Texas, Inc. to provide General Fund dollars for Case Management Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$27,500.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1239**

- W. ID 23-1565 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and Children's Advocacy Center for North Texas, Inc. to provide General Fund Dollars for The Direct Client Services Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$27,500.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1565**

- X. ID 23-1237 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and CASA of Denton County to provide General Fund dollars for The Court Advocacy Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$36,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1237**

- Y. ID 23-1252 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City and North Texas Solutions for Recovery, Inc. to provide General Fund Dollars for The Residential Treatment Program in Denton, Texas; authorizing the expenditure of funds in an amount not to exceed \$50,000.00; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1252**

- Z. ID 23-1635 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 Pulte Homes of Texas, L.P., for the dedication of Park Land for a City Park at the Townsend Green Development; authorizing acceptance of land; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).

**ASSIGNED ORDINANCE NO. 23-1635**

- AA. ID 23-1780 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute Amendment 1 to the Agreement between the City and Forestar (USA) Real Estate Group INC. for the dedication of Park Land and granting of a City trail, amending the phasing of the construction of the trail; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1780**

- AB. ID 23-1786 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 RSVP Services, Inc., amending the contract approved by City Council on March 22, 2022, in the not-to-exceed amount of \$2,327,021.00; said first amendment to provide additional veterinary services for the Linda McNatt Animal Care and Adoption Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7895 - providing for an additional first amendment expenditure amount not-to-exceed \$581,755.25, with the total contract amount not-to-exceed \$2,908,776.25).

**ASSIGNED ORDINANCE NO. 23-1786**

- AC. ID 23-1782 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 TRC Engineers, Inc., for the administration and development of wired and wireless joint use processes and standards for the City of Denton and Denton Municipal Electric as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8031-002 - professional services agreement for administration and development services awarded to TRC Engineers, Inc., in the not-to-exceed amount of \$164,600.00).

**ASSIGNED ORDINANCE NO. 23-1782**



AD. ID 23-1784 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 Berry, Dunn, McNeil & Parker, LLC, dba BerryDunn, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract #230105 for implementation project management services for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8333 - awarded to Berry, Dunn, McNeil & Parker, LLC, dba BerryDunn, in the not-to-exceed amount of \$3,000,000.00).

**ASSIGNED ORDINANCE NO. 23-1784**

AE. ID 23-1705 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton County MHMR Center for the expenditure of City Council Contingency Funds in the amount of five hundred and twenty-five dollars (\$525) for an employee appreciation event; and providing an effective date. (\$525 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1705**

AF. ID 23-1809 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Woman to Woman Pregnancy Center for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of the organization; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1809**

AG. ID 23-1808 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Texas Veterans Hall of Fame for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of the organization; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1808**

AH. ID 23-1806 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and Ranch Hands Rescue for the expenditure of City Council contingency funds in the amount of three hundred dollars (\$300) for Bob's House of Hope; and providing an effective date. (\$300 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1806**

AI. ID 23-1805 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and Project Hope for the expenditure of City Council contingency funds in the amount of two hundred dollars (\$200) in support of the organization; and providing an effective date. (\$200 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1805**

- AJ. ID 23-1804 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Siti and Jido Park Foundation, Inc., DBA Life Works Community for the expenditure of City Council contingency funds in the amount of two hundred dollars (\$200) in support of the organization; and providing an effective date. (\$200 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1804**

- AK. ID 23-1803 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Independent Order of Odd Fellows for the expenditure of City Council contingency funds in the amount of two hundred dollars (\$200) in support of the organization; and providing an effective date. (\$200 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1803**

- AL. ID 23-1801 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Freedom House for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of Zera Coffee with a Cause; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1801**

- AM. ID 23-1800 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton County Friends of the Family for the expenditure of City Council contingency funds in the amount of two hundred dollars (\$200) in support of the organization; and providing an effective date. (\$200 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1800**

- AN. ID 23-1799 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Black Film Festival Institute for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of the organization; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1799**

- AO. ID 23-1798 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Black Chamber of Commerce for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of the organization; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1798**

- AP. ID 23-1797 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and Cumberland Youth and Family Services for the expenditure of City Council contingency funds in the amount of one hundred dollars (\$100) in support of the organization; and providing an effective date. (\$100 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1797**

- AQ. ID 23-1849 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and Veterans of Foreign Wars (VFW) Post 2205 for the expenditure of City Council contingency funds in the amount of five hundred dollars (\$500) for Student Veteran Gaming Center; and providing an effective date. (\$500 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1849**

- AR. ID 23-1850 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Black Chamber of Commerce for the expenditure of City Council contingency funds in the amount of five hundred dollars (\$500) in support of the Denton Blues Festival; and providing an effective date. (\$500 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1850**

- AS. ID 23-1851 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Greater Denton Arts Council for the expenditure of City Council contingency funds in the amount of three hundred fifty dollars (\$350) in support of the organization; and providing an effective date. (\$350 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1851**

- AT. ID 23-1852 Consider adoption of an ordinance of the City of Denton approving, and authorizing the execution of, an agreement between the City of Denton and the Denton Black Film Festival Institute for the expenditure of City Council contingency funds in the amount of three hundred fifty dollars (\$350) in support of the organization; and providing an effective date. (\$350 - Community Partnership Committee recommends approval 3-0)

**ASSIGNED ORDINANCE NO. 23-1852**

- AU. OPA23-0001 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager or designee to execute an Oversize Cost Participation Agreement with Denton ICC 35, LLC, for the construction of an 18" wastewater main for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (Denton ICC 35, LLC, in the Not-To-Exceed amount \$324,720.00).

**ASSIGNED ORDINANCE NO. OPA23-0001**

AV. OPA23-0003 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager or designee to execute an Oversize Cost Participation Agreement with B-BP Chill Denton, LLC, for the construction of a 16" water main for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (awarded to B-BP Chill Denton, LLC, in the NOT-TO- EXCEED amount of \$243,190.00).

**ASSIGNED ORDINANCE NO. OPA23-0003**

AW. ID 23-1893 Consider adoption of an ordinance of the City of Denton abandoning, releasing, and vacating a 3.83 acre tract of land dedicated to the City of Denton by Giovanni Giomi, recorded in Cabinet U, Page 198, Plat Records, Deed Records of Denton County, Texas; providing for the Deed Without Warranty thereof to Woodrow Morse Properties, LLC; providing for the terms and conditions of the abandonment, relinquishment and vacation made herein; providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for the conveyance of a new easement to the City of Denton; providing for the consideration to be paid to the City of Denton; providing for severability and an effective date.

**ASSIGNED ORDINANCE NO. 23-1893**

AX. ID 23-1869 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding Texas Motor Vehicle Records Data with the Texas Department of Motor Vehicles for the Municipal Court; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1869**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

B. ID 23-069 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commissioners.

**APPOINTMENTS LISTED ON EXHIBIT B**

Appointments to the Planning & Zoning Commissioners was separated.

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

Council Member Beck moved to appoint Jordan Villareal to the Planning & Zoning Commission. Motion seconded by Council Member McGee.

Discussion Followed.

Mayor Hudspeth submitted a Jordan Villareal's Boards and Commissions application as Exhibit C.

Motion carried.

AYES (4): Mayor Pro Tem Beck and Council Members Byrd, Meltzer, and McGee

NAYS (2): Council Members Holland, and Watts

ABSTAIN (1): Mayor Hudspeth

B. ID 23-069 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commissioners.

Council Member Holland moved to appoint John Ryan to the Planning & Zoning Commission. Motion seconded by Council Member Watts.

Motion failed.

AYES (3): Mayor Hudspeth, Council Members Watts and Holland.

NAYS (4): Mayor Pro Tem Beck, Council Members Byrd, McGee, and Meltzer

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

A. ID 23-1736 Consider adoption of an ordinance of the City of Denton, Texas, establishing the rates for Solid Waste and Recycling Collection service; repealing Ordinance No. 22-1855 providing for a repealer; providing for a severability clause; and providing an effective date.  
**ASSIGNED ORDINANCE NO. 23-1736**

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

The item was presented, and no discussion followed.

Council Member Watts 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

B. ID 23-1741 Consider adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Water and Water service; repealing Ordinance No. 22-1856; providing for a repealer; providing for a severability clause; and providing an effective date.  
**ASSIGNED ORDINANCE NO. 23-1741**

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

The item was presented, and no discussion followed.

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

Motion carried.

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

NAYS (1): Council Member Meltzer

- C. ID 23-1742 Consider adoption of an ordinance of the City of Denton, Texas, establishing the schedule of rates and fees for Wastewater service; repealing Ordinance No. 22-1857; providing for a repealer; providing for a severability clause; and, providing an effective date.  
**ASSIGNED ORDINANCE NO. 23-1742**

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

The item was presented, and no discussion followed.

Mayor Pro Tem Beck 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

- D. ID 23-1870 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, repealing ordinance 2011-155; no longer committing, assigning, or restricting any recreational program revenues or fees, or any fund balance of the Recreational Fund, for any specific purposes; dissolving the Recreation Fund; providing a severability and repealer clauses; and providing an effective date.  
**ASSIGNED ORDINANCE NO. 23-1870**

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

The item was presented, and discussion followed.

Following discussion, Council Member Holland 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

- E. ID 23-1871 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, establishing an Environmental Services Fund; directing that such fund shall be an internal service fund allocated resources through the budget process; providing for the uses of such fund; providing severability and repealer clauses; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-1871**

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

The item was presented, and no discussion followed.

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

Motion carried.

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

NAYS (0): None

- F. ID 23-1704 Consider approval of a resolution of the City of Denton nominating members to the Board of Directors of the Denton Central Appraisal District; and providing an effective date.

**ASSIGNED RESOLUTION NO. 23-1704**

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

The item was presented, and discussion followed.

Following discussion, Council Member McGee 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

Items 6.G 23-1632, 6.H 23-1633, and 6.I 23-1777 were read collectively into the record.

- G. ID 23-1632 Consider approval of a resolution approving the City of Denton's GreenSense Incentive Program, GreenSense Incentive Program Manual; delegating authority to the Environmental Services and Sustainability Department for certain amendments to the program; providing for a repealer; providing for a severability clause; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 23-1632**

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 Watts.

Motion carried.

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

NAYS (0): None

- H. ID 23-1633 Consider adoption of an ordinance of the City of Denton amending the Schedule of Rates for electric service; providing for a repealer; providing for a severability clause; and providing for an effective date.

**ASSIGNED ORDINANCE NO. 23-1633**

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

NAYS (0): None



- I. ID 23-1777 Consider approval of a resolution approving the City of Denton's Distributed Generation manual; delegating authority to Denton Municipal Electric for certain amendments to the program; providing for a repealer; providing for a severability clause; and providing for an effective date.

**ASSIGNED RESOLUTION NO. 23-1777**

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 Watts.

Motion carried.

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

NAYS (0): None

Mayor Recessed the meeting at 6:20 p.m. for a short break

Mayor Reconvened the meeting at 6:30 p.m.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Paul Meltzer, Joe Holland, Brandon Chase McGee, and Chris Watts

ABSENT: None

**5. PUBLIC HEARINGS**

- A. DCA23-0001 Hold a public hearing and consider approval of an ordinance of the City Of Denton, Texas amending the Denton Development Code's Reasonable Accommodation process and Use Specific Standards, parking minimums, and definitions for Elderly Housing, Community Home, and Group Home uses, specifically amendments to: Table 2.2-A: Summary of Development Review Procedures; Section 2.8: Flexibility and Relief Procedures; Table 5.2-A: Table of Allowed Uses; Section 5.3.1d: Maximum Persons Occupying a Dwelling; Section 5.3.3: Residential Use-Specific Standards; Table 7.9-I: Minimum Required Off-Street Parking; and Section 9.2: Definitions; 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 Cole. (DCA23-0001b, Reasonable Accommodation, Elderly Housing, Community Home, and Group Home, Julie Wyatt)

**ASSIGNED ORDINANCE NO. DCA23-0001b**

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

The item was presented, and discussion followed.

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

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

Council Member McGee left the meeting at 6:43 p.m.

- B. AESA22-0004b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving an Alternative Environmentally Sensitive Areas Plan on approximately 14.176 acres of land generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas; adopting an amendment to the City's official environmentally sensitive areas 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 of the request. Motion for approval by Commissioner Smith and second by Commissioner Anderson. (AESA22-0004b, Cyrene at Hickory Creek, Christi Upton).  
**ASSIGNED ORDINANCE NO. AES22-0004b**

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.

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

Motion carried.

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

NAYS (2): Mayor Pro Tem Beck and Council Member Meltzer

ABSENT (1): Council Member McGee

**7. BUDGET ITEMS FOR INDIVIDUAL CONSIDERATION**

Note: Action on these items will occur on or after 6:30 p.m. in accordance with the published public notices.

- A. ID 23-278 Consider adoption of an ordinance of the City of Denton, Texas, adopting the fiscal year 2023-2024 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2023 and ending on September 30, 2024; appropriating funds from available resources; ratifying all prior transfers made under the direction of the City Manager pursuant to Article VIII, Section 8.07 of the City Charter of the City of Denton; requiring City Manager to file a copy of the Budget with the City Secretary, Denton County Clerk and Texas Comptroller, and ensuring the record vote, budget and cover page is posted on the City's website; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 23-278**

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, Council Member Meltzer moved to amend Data Center revenue be divided one third Catalyst Fund, one third Streets and one third Sustainability. Motion seconded by Mayor Pro Tem Beck.

Motion to amend failed.

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

NAYS (4): Mayor Hudspeth, and Council Members Byrd, Holland, and Watts

ABSENT (1): Council Member McGee

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

Motion carried.

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

NAYS (0): None

ABSENT (1) Council Member McGee

- B. ID 23-280 Consider adoption of an ordinance of the City of Denton, Texas, levying the ad valorem property tax of the City of Denton, Texas, for the year 2023, on all taxable property within the corporate limits of the City on January 1, 2023, and adopting a tax rate of \$0.560682 per \$100 of valuation for 2023; providing revenues for payment of current municipal maintenance and operation expenses and for payment of interest and principal on outstanding City of Denton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-280**

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

Citizen comments received are noted on Exhibit A.

Mayor Pro Tem Beck moved that the property tax rate be increased by the adoption of a tax rate of \$0.560682, which is effectively a 13.3 percent increase in the tax rate, and to approve item 23-280. Motion seconded by Council Member Byrd.

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member McGee

- C. ID 23-281 Consider adoption of an ordinance of the City of Denton, Texas, approving the 2023 tax rolls; and providing an effective date.

**ASSIGNED ORDINANCE NO. 23-281**

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

Citizen comments received are noted on Exhibit A.

Council Member Holland 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, Meltzer, Holland, and Watts

NAYS (0): None

ABSENT (1) Council Member McGee

- D. ID 23-279 Consider adoption of an ordinance of the City of Denton, Texas, ratifying the adoption of the fiscal year 2023-2024 Annual Program of Services (Budget) and the Capital Improvement Program of the City of Denton, Texas, for the fiscal year beginning on October 1, 2023, and ending on September 30, 2024 when the budget will raise more revenue from property taxes than last year's budget; and providing an effective date.  
**ASSIGNED ORDINANCE NO. 23-279**

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

Citizen comments received are noted on Exhibit A.

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, Meltzer, Holland, and Watts

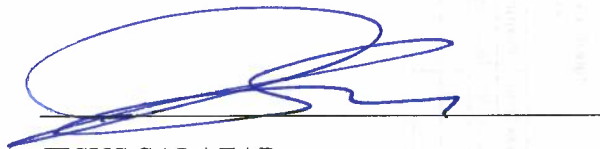
NAYS (0): None

ABSENT (1): Council Member McGee

With no further business, the meeting was adjourned at 7:25 p.m.



GERARD HUDSPETH  
MAYOR  
CITY OF DENTON, TEXAS



JESUS SALAZAR  
CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON:

11-07-2023

September 26, 2023 City Council Special Called Meeting - EXHIBIT A

Speaker Commentaries/Registrations  
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Justin	Pasternak	1661 East Camelback Rd.	Phoenix, AZ	AESA22-0004b	In support	Public Hearing	