

CITY OF DENTON CITY COUNCIL MINUTES
November 7, 2023

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, November 7, 2023, at 2:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

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 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.

WORK SESSION

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.

None

A. ID 23-647 Meeting Questions, Responses & Handouts

3. Work Session Reports

A. ID 23-466 Receive a report and hold a discussion regarding the Denton County Transportation Authority (DCTA) quarterly update. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented, and discussion followed.

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

- B. ID 23-1701 Receive a report, hold discussion, and give staff direction on proposed Residential Rental Registration Program. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented, and discussion followed.

Following discussion, City Council consensus was to proceed with drafting a Rental Registration Program for consideration.

- C. ID 23-2063 Receive a report, hold a discussion, and give staff direction regarding member qualifications, member screening process, and potential modifications to City of Denton boards, commissions, and committees. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented, and discussion followed.

Following discussion, City Council consensus was to accept staff's recommendations regarding modifications to certain boards and member compositions. Additionally, direction was received to hold further discussion on the implementation of staggered terms for the Police Chief's Advisory Board.

- D. ID 23-226 Receive a report, hold a discussion, and give staff direction on pending City Council requests for: 1) Request for a medium priority work session to discuss and develop a process to enhance the efficiency of the nominations process for city boards and commissions via timeframe window for nominations. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented, and discussion followed.

Following discussion, City Council consensus was to schedule for a future work session.

Mayor recessed at 4:43 p.m.

Mayor Reconvened the Council Meeting in the Chambers at 6:30 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, November 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, 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 on the exhibit to the minutes of this meeting.

1. **PLEDGE OF ALLEGIANCE**

- A. United States Flag B. Texas Flag

2. **PROCLAMATIONS/PRESENTATIONS**

- a. ID 23-1719 Proclamation: Park and Recreation Accreditation Award
PRESENTED
- b. ID 23-1922 Proclamation: Dr. Jim Alexander Appreciation
PRESENTED
- c. ID 23-1991 Proclamation: National American Indian Heritage Month
PRESENTED

3. **PRESENTATIONS FROM MEMBERS OF THE PUBLIC**

1) Scheduled Citizen Reports from Members of the Public

- a. ID 23-1779 Mr. Stephen Dillenberg regarding "When is the law not actually the law?"
PRESENTED
- b. ID 23-2149 Ms. Beverly Barnett regarding criminal activity in Briercliff Estates.
PRESENTED
- c. ID 23-2164 Dr. Malik Hakim regarding Listening Sessions for Public.
PRESENTED
- d. ID 23-2168 Anne Beckmann on "Defending NE Denton, Prioritizing Ecological Uniqueness."
PRESENTED

- 2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the

agenda. Such person(s) shall have registered using the "Virtual White Card" or "By Phone" process outlined by the City on its website or meeting notice.

Citizen comments received are noted on Exhibit A.

4. CONSENT AGENDA

During the Work Session held earlier in the day, no items were pulled for Individual Consideration.

Mayor Pro Tem Beck moved to adopt the Consent Agenda as presented. 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 23-047 Consider approval of the minutes of the September 26 and October 17, 2023.

APPROVED

- B. ID 23-1983 Consider approval of a resolution of the City of Denton excusing the September 25, 2023 meeting absence of a Public Utilities Board Member; and providing an effective date.

ASSIGNED RESOLUTION NO. 23-1983

- C. ID 23-2023 Consider approval of a resolution of the City of Denton excusing the October 13, 2023 meeting absence of a Community Services Advisory Committee Member; and providing an effective date.

ASSIGNED RESOLUTION NO. 23-2023

- D. ID 23-2043 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 Rifle-Resistant Body Armor grant program in the amount of \$65,000 for equipment; and providing an effect date.

ASSIGNED RESOLUTION NO. 23-2043

- E. ID 23-2044 Consider adoption of an ordinance of the City of Denton approving a grant to Robert Moses, for improvements located at 115 - 117 W. Hickory St. from the Downtown Reinvestment Grant Program in an amount not to exceed \$3,695.00; and providing for an effective date. The Downtown Denton Tax Increment Reinvestment Zone No.1 Board recommends approval (4-0).

ASSIGNED ORDINANCE NO. 23-2044

- F. OPA23-0004 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 Holigan Development, LLC, for the construction of Grissom Road Lift Station for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (Holigan Development, LLC, in the not-to-exceed amount of \$657,361.61).

ASSIGNED ORDINANCE NO. OPA23-0004

- G. ID 23-1994 Consider adoption of an ordinance of the City of Denton, authorizing the City Manager to execute a First Amendment to Solid Waste Disposal Contract with Rhino Removal, LLC; and providing for an effective date. The Public Utilities Board recommends approval (5-0).

ASSIGNED ORDINANCE NO. 23-1994

- H. ID 23-2084 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 Blink Network LLC, for Electric Vehicle (EV) charging infrastructure for the Environmental Services and Sustainability Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8297 - awarded to Blink Network LLC, in the three (3) year not-to-exceed amount of \$228,500.00). The Public Utilities Board recommends approval (5 - 0).

ASSIGNED ORDINANCE NO. 23-2084

- I. ID 23-2085 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 Felix Construction Company, for the Robson Ranch Water Reclamation Plant Lift Station Conversion Phase I for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8250 - awarded to Felix Construction Company, in the not-to-exceed amount of \$2,962,148.20). The Public Utilities Board recommends approval (4 - 0).

ASSIGNED ORDINANCE NO. 23-2085

- J. ID 23-2086 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 Mydatt Services, Inc. dba Block by Block, for a Downtown Denton Ambassador Program Pilot for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8249 - awarded to Mydatt Services, Inc. dba Block by Block, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$2,124,909.00).

ASSIGNED ORDINANCE NO. 23-2086

- K. ID 23-2087 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 Parker Power Systems, Inc., as the primary vendor, Altutex, LLC, as the secondary vendor, and On-Site Power Systems, Inc., as the tertiary vendor, for all labor, materials, tools, equipment, and for

the supervision of generator services for various City buildings, and to assist with redundant power for existing facilities and structures for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8303 - awarded to Parker Power Systems, Inc., Altorex, LLC, and On-Site Power Systems, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in total five (5) year in the not-to-exceed amount of \$2,400,000.00).

ASSIGNED ORDINANCE NO. 23-2087

- L. ID 23-2089 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 SBM Premier Services, LLC dba SERVPRO of Denton, through The Interlocal Purchasing System (TIPS) Cooperative Program Contract Nos. 22050101 and 22050102, for Disaster Restoration and Emergency Services for various City buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (File 8324 - awarded to SBM Premier Services, LLC dba SERVPRO of Denton, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,000,000.00).

ASSIGNED ORDINANCE NO. 23-2089

- M. ID 23-2090 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 Dell Marketing L.P., through the Texas Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-TSO-3763 for the purchase of desktop computers, laptop computers, mobile devices, computer peripherals, maintenance & support, and services for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8372 - awarded to Dell Marketing L.P., in the five (5) year not-to-exceed amount of \$5,000,000.00).

ASSIGNED ORDINANCE NO. 23-2090

- N. ID 23-2091 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 SHI Government Solutions, Inc., through the Buy Board Cooperative Purchasing Network Contract # 661-22, for the purchase of Land Management Software for the Development Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8378 - awarded to SHI Government Solutions, Inc., in the three (3) year not-to-exceed amount of \$525,000.00).

ASSIGNED ORDINANCE NO. 23-2091

5. ITEM FOR INDIVIDUAL CONSIDERATION

- A. A23-0002 Consider adoption of an ordinance of the City of Denton, Texas regarding a Municipal Services Agreement, pursuant to Tex. Loc. Gov. Code Sec. 43.0672, between the City of Denton and MY3 Investment Group, LLC for the provision of city services to approximately 7.25 acres of land, generally located 224 feet north of E. McKinney Street and approximately 1,140 feet east of Trinity Road; approving a schedule of annexation;

authorizing the City Manager to execute the agreement; and providing an effective date.
(A23-0002, Walker Tract Annexation, Angie Manglaris)

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 Meltzer.

Motion carried.

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

NAYS (0): None

6. PUBLIC HEARINGS

- A. A23-0002a Hold a public hearing and consider a petition for voluntary annexation of approximately 7.25 acres of land, generally located 224 feet north of E. McKinney Street and approximately 1,140 feet east of Trinity Road into the City of Denton, Denton County, Texas. (A23-0002a, Walker Tract Annexation, Angie Manglaris)

ASSIGNED ORDINANCE NO. A23-0002a

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.

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

No action was taken on this Item.

- B. ID 23-1604 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas adopting the Streetlighting Criteria Manual; providing severability and savings clauses, and an effective date.

ASSIGNED ORDINANCE NO. A23-1604

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

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

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

- C. DCA23-0008a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code related to street lighting standards, specifically amendments to Sections 7.11.6C and 7.11.6D related to amending street lighting fixture standards to apply to new developments and adding a reference to the Streetlight Criteria Manual; 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 [5-0] to recommend approval of the request. Motion for approval by Commissioner Villareal and second by Commissioner McDade. (DCA23-0008a, Street Lighting Code Amendment, Aaron Bennion)

ASSIGNED ORDINANCE NO. DCA23-0008a

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.

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

Following discussion, Council Member Watts 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

- D. S21-0005b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow for a Multi-family Dwelling Use on approximately 4.019 acres of land, generally located 316 feet to the west of Teasley Lane,

approximately 335 feet southwest of the intersection of Nowlin Road and Teasley Lane, 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 establishing an effective date. The Planning and Zoning Commission voted [4-2] to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Cole. (S21-0005b, Teasley Lane Multifamily, Sean Jacobson)

ASSIGNED ORDINANCE NO. S21-0005b

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.

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

Mayor recessed the Council Meeting at 8:40 p.m. for a short break

Mayor reconvened the Council Meeting at 8:52 p.m.

- E. S23-0002b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a Specific Use Permit to allow a building no more than 53 feet in height on approximately 2.695 acres of land generally located at the southwest corner of the intersection of Stuart Road and Loop 288 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 [3-2] to recommend approval of the request. Motion for approval by Commissioner Pruett and second by Commissioner Cole. (S23-0002b, Stuart Apartments, Mia Hines)

ASSIGNED ORDINANCE NO. S23-0002b

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.

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 McGee.

Motion failed.

AYES (3): Mayor Pro Tem Beck and Council Members Byrd, and McGee

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

7. ITEMS FOR INDIVIDUAL CONSIDERATION - CONTINUED

- A. A23-0002b Conduct the first of two readings of an ordinance of the City of Denton, Texas annexing approximately 7.25 acres of land, generally located 224 feet north of E. McKinney Street and approximately 1,140 feet east of Trinity Road, into the City of Denton, Denton County, Texas; extending the boundary limits of the City of Denton to include the annexed property in the city limits; providing for a corresponding amendment to the city map to include the annexed land; and providing for a savings clause and an effective date. (A23-0002b, Walker Tract Annexation, Angie Manglaris)

ASSIGNED ORDINANCE NO. A23-0002b

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

The item was presented, and discussion followed.

No action was taken on this Item.

- B. ID 23-2088 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 360TXC LLC, as the primary vendor, Gomez Floor Covering, Inc. dba GFC Contracting, as the secondary vendor, and Vector Concepts, Inc., as the tertiary vendor, for the supply of flooring materials and services for various City buildings for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8304 - awarded to 360TXC LLC, Gomez Floor Covering, Inc. dba GFC Contracting, and Vector Concepts, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in total five (5) year in the not-to-exceed amount of \$7,500,000.00).

ASSIGNED ORDINANCE NO. 23-2088

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

The item was presented, and discussion followed.

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

Motion carried.

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

NAYS (0): None

- C. ID 23-2062 Consider the first reading of an ordinance granting to Oncor Electric Delivery Company LLC, a non-exclusive electric power franchise for the purpose of constructing, maintaining, and using an electric delivery utility system in the City of Denton; prescribing the relationship and relative rights between grantee and others with respect to construction in the city and location of facilities; providing for enforcement of the franchise; prescribing the duties, responsibilities, and rulemaking authority of the City Manager and the City with respect to administration of this franchise; reserving to the governing body of the City the right to set charges and rates of grantee; regulating the construction work done by the grantee in the City; addressing the joint use of poles, trenches, and ducts in certain instances; addressing relocation of facilities; providing for compensation to the City from the grantee for the franchise privilege; requiring certain records and reports and providing for inspections and preservation thereof; providing for enforcement of the franchise; providing for assignment of the franchise; providing for indemnity and insurance; providing for term, renewal, effective date, and acceptance of this franchise; addressing conformity with applicable laws, City charter and City code; providing for good faith effort; providing for the repeal of the existing franchise ordinance no. 2012-359 to Oncor Electric Delivery Company LLC, its predecessors and assigns, and finding that the meeting at which this ordinance is passed is open to the public; and providing an effective date.

ASSIGNED ORDINANCE NO. 23-2062

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 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

- D. ID 23-2130 Consider approval of a resolution of the City of Denton appointing a member to the Development Code Review Committee, and providing an effective date.

ASSIGNED ORDINANCE NO. 23-2130

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.

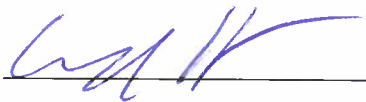
AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

8. CONCLUDING ITEMS

Council Members expressed items of interest.


With no further business, the meeting was adjourned at 9:57 p.m.



GERARD HUDSPETH

MAYOR

CITY OF DENTON, TEXAS



JESUS SALAZAR

CITY SECRETARY

CITY OF DENTON, TEXAS

MINUTES APPROVED ON: 12-05-2023