

## CITY OF DENTON CITY COUNCIL MINUTES

August 13, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, August 13, 2019, at 11:02 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

**PRESENT:** Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

**ABSENT:** None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal

Mayor Watts announced Item 1.H (ID DCA19-0005) would not be presented at staff's request.

### **WORK SESSION**

#### **1. Citizen Comments on Consent Agenda Items**

None.

#### **2. Requests for clarification of agenda items listed on this agenda.**

- Consent Item 1.A (ID 19-1837) - As requested, staff provided clarification as to the recycling contract and cost comparison. (Briggs)

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

- A. ID 19-554 Receive a report, hold a discussion, and give staff direction regarding the Rayzor Ranch Public Improvement District No. 1.

The presentation was made and discussion followed.

Following discussion, staff was directed to prepare a presentation for a future meeting.

The meeting was recessed for a short break at 12:37 p.m. and reconvened at 12:47 p.m.

- B. ID 19-549 Receive a report, hold a discussion and give staff direction regarding an internal audit of the Procurement Card (P-Card) Program in the Procurement Department and an Audit of the Procurement Department's Programs and Controls.

The presentation was made and discussion followed.

Following discussion, there was no direction provided as the item was for reporting purposes only.

- C. ID 19-1610 Receive a report, hold a discussion, and give staff direction regarding an internal audit of the City's Utility Cuts Process.

The presentation was made and discussion followed.

Following discussion, there was no direction provided as the item was for reporting purposes only.

- D. ID 19-1753 Receive a report, hold a discussion, and give staff direction regarding public meeting video recording prioritization.

The presentation was made and discussion followed.

Following discussion, staff was directed to pursue Option B which included recording the following meetings:

- Board of Ethics
- City Council (already recorded)
- Committee on Persons with Disabilities (added to Option B)
- Economic Development Partnership Board (already recorded)
- Mobility Committee (already recorded)
- Planning and Zoning Commission (already recorded)
- Public Utilities Board (already recorded)
- Zoning Board of Adjustment

The meeting was recessed for a short break at 1:52 p.m. and reconvened at 1:59 p.m.

- E. ID 19-1873 Receive a report and hold a discussion and give staff direction on the proposed Water, Wastewater and Electric Rates for FY 2019-2020.

The presentation was made and discussion followed.

Following discussion, there was no direction provided as the item was only for presentation purposes in preparation for the FY 2019-20 Budget process.

- F. ID 19-1842 Receive a report, hold a discussion, and give staff direction regarding the FY 2019-20 City Manager's Proposed Budget, Capital Improvement Program, and Five-Year Financial Forecast.

The presentation was made and discussion followed.

Following discussion, there was no direction provided as the item was only for presentation purposes in preparation for the FY 2019-20 Budget process.

- G. ID 19-1918 Receive a report, hold a discussion, and give staff direction regarding the 2019 Bond Program.

The presentation was made and discussion followed.

Following discussion, the consensus was to increase contingency funds and provide an updated presentation at a future meeting, prior to ordering the election.

The meeting was recessed for a short break at 3:23 p.m. and reconvened at 3:29 p.m.

**ITEM PULLED FROM PRESENTATION**

- H. DCA19-0005 Receive a report, hold a discussion, and give staff direction regarding 2439 and 3167 House Bill draft ordinances and amendments to the 2019 Denton Development Code.

**NOT DISCUSSED**

As announced earlier in the meeting, the item was not presented at staff's request.

**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, August 13, 2019, at 3:55 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal

**1. CONSENT AGENDA**

The consent agenda consisted of Items 4.A-E. No items were removed for individual consideration.

Council Member Briggs moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Meltzer. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

- A. ID 19-1837 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 Thelin Recycling Company, L.P. for Brush and Wood Grinding Services for the Beneficial Reuse Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7085 - awarded to Thelin Recycling Company, L.P., 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 \$1,150,000).

**ASSIGNED ORDINANCE NO. 19-1837**

- B. ID 19-1893 Consider adoption of an ordinance authorizing expenditure of an additional \$100,000 in previously budgeted funds for outside counsel in the litigation styled "Michael Grim and Jim Maynard v. City of Denton, Texas," pending in the 68th Judicial District Court, Dallas, County, Texas; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 19-1893**

- C. ID 19-1906 Consider approval of the minutes of August 1, 2019 and amendment of the minutes of April 23, 2019.

- D. ID 19-1916 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety, State of Texas, authorizing the Denton Police Department to perform uniform commercial vehicle weight inspections and enforcement for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

**ASSIGNED ORDINANCE NO. 19-1916**

- E. ID 19-1917 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety, establishing responsibilities, policies, and guidelines for the Denton Police Department to conduct federal safety regulation inspections for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

**ASSIGNED ORDINANCE NO. 19-1917**

**2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 19-1839 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Hazen and Sawyer, P.C., amending the contract approved by City Council on July 21, 2015, in the not-to-exceed amount of \$427,368, emended by Amendments 1-2 approved by City Council; said third amendment to provide additional design and construction administration services for Hickory Creek Basin Peak Flow Detention Facility, West Peak Flow Storage Basin and Peak Flow Pump Station,

and Hickory Creek Lift Station Reconstruction design; providing for the expenditure of funds therefor; and providing an effective date (File 5768 - providing for an additional third amendment expenditure amount not-to-exceed \$470,449, with the total contract amount not-to-exceed \$1,202,814).

**ASSIGNED ORDINANCE NO. 19-1839**

The presentation was made and discussion followed.

Council Member Ryan moved to approve the item as presented. Motion seconded by Mayor Pro Tem Hudspeth. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

- B. ID 19-1831 Consider adoption of an ordinance of the City Council of the City of Denton, Texas, calling an election to be held on November 5, 2019, within said city on the question of the issuance of \$221,519,000 in ad valorem tax supported public securities for streets, public safety, parks, and public art; making provision for the conduct of the election; and containing other provisions incidental thereto; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 19-1831**

The presentation was made and discussion followed.

Mayor Pro Tem Hudspeth moved to approve the item as presented. Motion seconded by Council Member Ryan. Motion carried.

AYES (6): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, and Meltzer

NAYS (1): Armintor

- C. ID 19-1765 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Board of Ethics, Committee on Persons with Disabilities, Health & Building Standards Commission, Historic Landmark Commission, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Traffic Safety Commission, and Zoning Board of Adjustment.

Mayor Pro Tem Hudspeth moved to appoint the following as noted:

BOARD/COMMITTEE/ COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	MEMBER LAST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Board of Ethics	2	Briggs	Lara	Tomlin	September 1, 2019 through August 30, 2021	Reappointment (Pref.: 1/Attorney)
Board of Ethics	4	Ryan	Charla	Bradshaw	September 1, 2019 through August 30, 2021	Reappointment (Pref.: 1/Attorney)
Committee on Persons with Disabilities	3	Davis	Joe	Rivas	UNEXPIRED September 1, 2018 through August 30, 2020	New (Qualif.: Dist. 3 Resident)
Health & Building Standards Commission	3	Davis	Matthew	Jendusa	UNEXPIRED September 1, 2017 through August 30, 2019 & September 1, 2019 through August 30, 2021	New (Qualif.: 6/Other)
Health & Building Standards Commission	5	Armintor	Torrey	Mitchell	July 1, 2019 through June 30, 2021	New (Qualif.: 6/Other)
Health & Building Standards Commission	7	Watts	Ginger	Cain	July 1, 2019 through June 30, 2021	Reappointment (Qualif.: 4/Real Estate)
Historic Landmark Commission	3	Davis	Mary	Anderson	September 1, 2019 through August 30, 2021	Reappointment (Qualif.: 3/Owner Real P.)
Historic Landmark Commission	4	Ryan	Roy	Anderson	September 1, 2019 through August 30, 2021	Reappointment (Qualif.: 5/Accountant)
Historic Landmark Commission	5	Armintor	Linnie	McAdams	September 1, 2019 through August 30, 2021	New (Qualif.: 3/Owner Real P.)
Historic Landmark Commission	6	Meltzer	Evan	Stone	September 1, 2019 through August 30, 2021	New (Qualif.: 2/DC Bar Assoc.)
Library Board	5	Armintor	Myrna	Orozco	September 1, 2019 through August 30, 2021	New
Parks, Recreation and Beautification Board	1	Hudspeth	Denona	Lee	September 1, 2019 through August 30, 2021	New
Planning & Zoning Commission	1	Hudspeth	Ronnie	Anderson	September 1, 2019 through August 30, 2021	New
Planning and Zoning Commission	4	Ryan	Andrew	Rozell	September 1, 2019 through August 30, 2021	Reappointment
Public Art Committee	1	Hudspeth	Monet	Franklin	September 1, 2019 through August 30, 2021	Reappointment

BOARD/COMMITTEE/ COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	MEMBER LAST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Public Utilities Board	1	Hudspeth	Charles	Parker	September 1, 2019 through August 30, 2023	New
Public Utilities Board	3	Davis	Russell	Bafford	UNEXPIRED September 1, 2016 through August 30, 2020	New
Public Utilities Board	7	Watts	Barbara	Russell	UNEXPIRED September 1, 2015 through August 30, 2019 & September 1, 2019 through August 30, 2023	New
Public Utilities Board	2	Briggs	Ed	Soph	UNEXPIRED September 1, 2015 through August 30, 2019 & September 1, 2019 through August 30, 2023	New
Traffic Safety Commission	4	Ryan	Jim	Owen	September 1, 2019 through August 30, 2021	Reappointment
Traffic Safety Commission	7	Watts	Connie	Baker	September 1, 2019 through August 30, 2021	New
Zoning Board of Adjustment - Alternate	ALL-ALT. 1 [5]	Armintor	Princewill	Njoku	September 1, 2019 through August 30, 2021	New

Motion seconded by Council Member Briggs. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer  
NAYS (0): None

### 3. CONCLUDING ITEMS

Council Members expressed items of interest, congratulatory remarks and provided general announcements. Staff to provide responsive information to those requests for information as part of the Friday Report process.

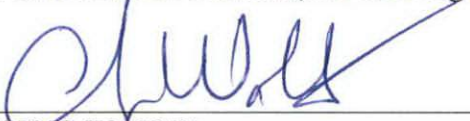
### CLOSED MEETING


1. The City Council convened into a Closed Meeting at 4:05 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

- A. ID 19-1796 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086. Deliberate and discuss competitive information regarding public power operational and financial matters pertaining to the purchases and risks of wholesale energy supply pertaining to the proposed electric budget.  
**NOT DELIBERATED**
- B. ID 19-1892 Consultation with Attorneys - Under Texas Government Code Section 551.071. Receive information from the City's attorneys and discuss legal status, expenses and strategy in Cause No. DC-17-08139, styled "Michael Grim and Jim Maynard v. City of Denton, Texas" pending in the 68th Judicial District Court, Dallas County, Texas; where a discussion of these legal matters in an open meeting 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.  
**DELIBERATED**

The Closed Meeting started at 4:16 p.m. and ended at 5:05 p.m. Item 1.A (ID 19-1796) was not deliberated. No votes or actions were taken during the Closed Meeting.

With no further business, the meeting was adjourned at 5:05 p.m.

  
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CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

  
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ROSA RIOS  
CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: August 27, 2019