

CITY OF DENTON CITY COUNCIL MINUTES  
December 10, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, December 10, 2019, at 12:02 p.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 First Assistant City Attorney Larry Collister

**WORK SESSION**

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

None.

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

None.

**3. Work Session Reports**

- A. ID 19-2869 Receive reports, hold discussions, and give staff direction on the following with respect to Green Tree Estates:
1. Actions taken, and expenditures made, by the City in accordance with the Mayor's Declaration of Disaster dated November 13, 2019 and Ordinance No. 19-2784;
  2. Existing site conditions;
  3. Code compliance observations, issues, and resolutions;
  4. Water, wastewater, road, and drainage infrastructure improvement options; and
  5. Alternative housing solutions for the residents

Mayor Watts announced registered speakers would be allowed to speak following the presentation/discussion. First Assistant City Attorney Larry Collister served as the City's legal counsel on the item due to a conflict of interest on the item by City Attorney Leal.

Council Member Armintor arrived at 12:04 p.m.

The item was presented. Spanish interpretation was provided simultaneously during the presentation, with staff speaking slowly to ensure clear translation of presentation points.

The following spoke on the item, with translation services provided by Ms. Mariela Nunez-Janes, representing the League of United Latin American Citizens (LULAC):

- Alfredo Contreras, 4055 Ash Lane - accepts City's process, but very costly for him; asking if payment options to install the water meters exist; comfortable solution needed for both parties so all would be on the same page
- Elva Hernandez, 6509 Willow Lane - appreciates the assistance to date; asking for more time on the Declaration of Emergency which expires February 12, 2020 so they can determine other areas affecting families; previous concern is about water, but based on areas discussed, are stressed and do not fully understand what is being asked of them; live well at Green Tree estates; very safe; extend Declaration at least 90-120 days; need assistance with installation of water meters as it is a good idea; City still needs to do research work on ownership of private roads; invited members to visit their area/neighborhood/community; difficult to understand City codes; were unaware of code violations and asked for list of violations that exist
- Mariela Nunez-Janes (representing LULAC and Movimiento Cocecha), 3449 Lake Country Drive - read letter from another resident inquiring why City looking at housing assistance; not homeless; have their own home and children; provided recap of LULAC and Movimiento Cocecha recommendations presented by staff

The Work Session was recessed at 1:22 p.m. for a short break and reconvened at 1:34 p.m.

Following discussion, staff was directed to (1) place an ordinance for formal adoption at an upcoming meeting extending the Declaration of Disaster for 100 days (May 23, 2020) with no additional funding from that which was initially adopted; (2) work with residents to pay for current non-potable water after February 12, 2020; (3) at the February 4, 2020 meeting, return to City Council with ownership information of property owners; identify addresses occupied and note if that occupant is the tenant or owner; who from among the residents will be reaching to the identified property owner(s) of the roads (currently unknown); and by mid-January 2020, conduct voluntary building inspections prior to the February 12, 2020 deadline. On life safety inspection issues, staff will work with property owners to rectify the issues as they do with any other resident/property owner in the City.

The Work Session was recessed for a short break at 2:28 p.m. and reconvened at 2:37 p.m.

- B. ID 19-2628 Receive a report, hold a discussion, and give staff direction regarding Stoke Denton's annual report.

The item was presented and discussion followed.

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

- C. ID 19-2779 Receive a report, hold a discussion, and give staff direction regarding Solid Waste & Recycling grant applications to the North Central Texas Council of Governments (NCTCOG) Solid Waste Implementation Grants.

The item was presented and discussion followed.

Following discussion, staff was directed to schedule a resolution for formal adoption in order to continue with the grant application for the following:

- Comprehensive Solid Waste Management Strategy @ \$100,000
- Recycling dumpster contamination reduction lids/locks @ \$45,000
- Public Disposal Area/Recycling Center Improvements & Upgrades @ \$85,000
- Home Chemical Collection Program Enhancement Mobile Events @ \$108,000
- Yard Waste Collection Kraft Bags @ \$35,000
- Remote Cameras for Illegal Dumping @ \$5,200

In the event any item was not granted, the City Manager to return with supplemental funding option(s).

- D. ID 19-2936 Receive a report, hold a discussion, and give staff direction regarding the Texas Department of Transportation's proposal for the removal of certain roadways within the City limits from the state highway system and turning those same roadways back to the City for maintenance and operations.

The item was presented and discussion followed.

Following discussion, staff was directed to proceed with the proposed segments located at (1) US 77 and 377 - US 380 to Carroll @ \$77,006, and (2) US 77 - Locust to I35E @ \$78,816. Additionally, staff was to address the segment located at FM 428 - US 77 to Loop 288 with the Texas Department of Transportation and present their response at a future meeting.

- E. ID 19-2951 Receive a report, hold a discussion, and give staff direction regarding the creation of a Bond Oversight Committee to monitor, evaluate, and report on the progress of bond election capital improvement programs.

The item was presented and discussion followed.

Following discussion, staff was directed to continue with the appointment process for a 7-member Committee, comprising of the following individuals:

- Randy Robinson
- Tim Crouch
- Brandon McClusky
- Janet Shelton
- Patrick Smith
- Susan Parker
- Eric Pruett

- F. ID 19-2930 Receive a report, hold a discussion, and give staff direction regarding the Vision Zero roadway traffic safety initiative.

The item was presented and discussion followed.

Following discussion, staff was directed to establish a Vision Zero Goal and Commitment, develop a Vision Zero Action Plan, and create a Vision Zero Task Force led by the City with multiple departments to include Traffic Engineering, Police Department and Public Affairs.

- G. ID 19-2257 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
- (1) Plugged gas wells
  - (2) Pro bono scientific setback study

The item was presented and discussion followed.

Following discussion, results were as follows:

- Item 19-2257-1 - Plugged gas wells (Meltzer)
  - Consensus to discuss at a future work session as to risks and appropriate public protections regarding plugged gas well
- Item 19-2257-2 - Pro bono scientific setback study (Briggs)
  - Consensus for staff to engage with Thriving Earth Exchange to apply for the pro bono scientific study regarding the safety of gas well setback and reverse setback distances

### **CLOSED MEETING**

Mayor Watts announced the Closed Meeting would be held after the Special Called 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, December 10, 2019, at 4:28 p.m. in the 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 First Assistant City Attorney Larry Collister

1. **CONSENT AGENDA**

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

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

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

NAYS (0): None

- A. ID 19-2722 Consider adoption of an ordinance of the City of Denton establishing the classifications and prescribing the number of positions in each classification for the Fire Department pursuant to Chapter 143 of the Texas Local Government Code; providing repealer, cumulative, and severability clauses; and declaring an effective date.

**ASSIGNED ORDINANCE NO. 19-2722**

- B. ID 19-2819 Consider approval of the minutes of November 19, 2019.

- C. ID 19-2878 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 Professional Services Agreement between the City of Denton and Burgess and Niple, Inc., amending the contract approved by City Council on June 19, 2018, in the not-to-exceed amount of \$255,000; said first amendment to provide additional engineering services for the Morse Street Project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-009 - providing for an additional first amendment expenditure amount not-to-exceed \$88,000, with the total contract amount no-to-exceed \$343,000).

**ASSIGNED ORDINANCE NO. 19-2878**

- D. ID 19-2879 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to purchase continued vendor support of the hosted Sierra Services platforms and associated hardware and software modules from Innovative Interfaces, Inc., which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000 shall be awarded by the governing body; and providing an effective date (File 7202 - awarded to Innovative Interfaces, Inc., in the five (5) year not-to-exceed amount of \$392,686.66).

**ASSIGNED ORDINANCE NO. 19-2879**

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ID 19-2776 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 Lessek Enterprises, LLC dba Impress Graphics, for printing services for the City of Denton City Manager's Office; providing for the expenditure of funds therefor; and providing an effective date (RFP 6977 - awarded to Lessek Enterprises, LLC dba Impress Graphics, for one (1) year, with the option for three (3) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$2,900,000).

The item was not considered at staff's request.

## **3. CONCLUDING ITEMS**

Council Members expressed items of interest, congratulatory remarks and provided general announcements.

The Special Called Meeting ended at 4:30 p.m.

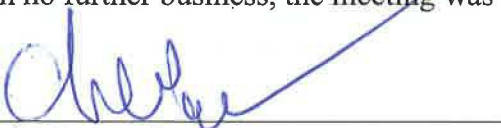
### **CLOSED MEETING**

1. The City Council convened into a Closed Meeting at 4:30 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:
- A. ID 19-2649 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 4:36 p.m. and ended at 6:00 p.m. No votes or actions were taken during the Closed Meeting.

With no further business, the meeting was adjourned at 6:00 p.m.

  
CHRIS WATTS  
MAYOR  
CITY OF DENTON, TEXAS

  
ROSA RIOS  
CITY SECRETARY  
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: JANUARY 7, 2020