

CITY OF DENTON CITY COUNCIL MINUTES

April 7, 2020

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Closed Meeting on Tuesday, April 7, 2020, at 5:04 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 City Attorney Aaron Leal

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the closed meeting, work session, and regular meeting via teleconference under the provisions allowed by the Texas Government Code Section 551.127.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process is not read, each member of the City Council received each registration as it was submitted.

CLOSED MEETING

1. Closed Meeting:

The City Council convened into a Closed Meeting at 5:04 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows. Item 1.A (ID 20-767) was not deliberated.

- A. ID 20-767 Consultation with Attorneys - Under Texas Government Code, Section 551.071; Deliberations regarding Economic Development Negotiations - Under Texas Government Code Section 551.087; Deliberations regarding Real Property - Under Texas Government Code Section 551.072. Consultation with the City's attorneys regarding legal issues associated with (i) the project agreements, master planned community ordinances, and other related agreements, documents, and ordinances for both Hunter Ranch and Cole Ranch projects, (ii) operating agreements, consent resolutions, and other agreements, documents, and ordinances related to the municipal management districts associated with both Hunter Ranch and Cole Ranch projects and the operation of the same, (iv) economic development incentives potentially offered related to both Hunter Ranch and Cole Ranch projects, and (v) the Pilot Knob conservation easement for Hunter Ranch project where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas; consultation with staff regarding these matters and financial or other incentives for both Hunter Ranch and Cole Ranch projects, a business prospect which the

City Council seeks to have locate, stay, or expand in or near the territory of the City, and with which the City Council is conducting economic development negotiations; consultation with staff regarding potential real property interests to be conveyed to the City which are located within both Hunter Ranch and Cole Ranch where the deliberations of same in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person.

NOT DELIBERATED

- B. ID 20-810 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074. Deliberate and discuss the appointment, employment, and duties of the City Auditor and Municipal Judge.

DELIBERATED

The Closed Meeting started at 5:13 p.m. and ended at 5:45 p.m. No votes or actions were taken during the Closed Meeting.

WORK SESSION

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, April 7, 2020, at 6:04 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 City Attorney Aaron Leal

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the closed meeting, work session, and regular meeting via teleconference under the provisions allowed by the Texas Government Code Section 551.127.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process is not read, each member of the City Council received each registration as it was submitted.

1. Citizen Comments on Consent Agenda Items

None.

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

- Consent 2.H (ID 20-715) - Pulled for Individual Consideration. (Briggs)
- Consent 2.E (ID 20-695) - As requested, staff clarified as to COVID-19 EMS transports and cost of care and use of a separate contract. (Briggs)
- Consent 2.F (ID 20-696) - As requested, staff clarified the only fines to be collected would be those existing prior to the current crisis. (Briggs)
- Consent Item 2.M (ID 20-747) - As requested, staff clarified the type of accounts that would be sent to collections. (Briggs, Armintor)
- Consent 2.N (ID 20-752) - As requested, staff clarified the item was a pay as you use and no expense unless service was used. (Armintor)
- Consent 2.A (ID 20-237) - Expressed excitement on the item. (Hudspeth)
- Consent 2.B (ID 20-269) - As requested, staff clarified the requirements of the program. (Hudspeth)
- Consent 2.E (ID 20-596) - As requested, staff clarified what accounts would be handled under the contract. (Hudspeth)

3. Work Session Reports

- A. ID 20-820 Receive a report, hold a discussion, and give staff direction regarding a resolution to petition the Governor for a Special Election date for the purpose of electing Council Members to Places 5 and 6, a Mayor to Place 7, and to fill vacancies in Districts 1 and 2 for the unexpired term ending May 2021, to move the election from the uniform date of November 3, 2020 to an earlier date.

The item was presented and discussion followed.

Following discussion, staff was directed to draft the proposed resolution to include the dates of September 19th and 26th and present for consideration at an upcoming meeting.

The Work Session ended at 6:37 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, April 7, 2020, at 6:45 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 City Attorney Aaron Leal

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the closed meeting, work session, and regular meeting via teleconference under the provisions allowed by the Texas Government Code Section 551.127.

The posted agenda noted the registration process for public participation at this virtual meeting. While citizen commentary received via the online registration process is not read, each member of the City Council received each registration as it was submitted.

1. PRESENTATIONS/COMMENTS FROM MEMBERS OF THE PUBLIC

None.

A. Review of procedures for addressing the City Council.

B. Receive Scheduled Citizen Reports from Members of the Public.

None.

Staff was asked to provide clear instructions on the speaker registration process both online and on the posted agenda.

C. Additional Citizen Reports (Open Microphone)

None.

2. CONSENT AGENDA

The consent agenda consisted of Items 2.A-V. Item 2.H (ID 20-715) was pulled for Individual Consideration by Council Member Briggs.

Council Member Ryan moved to adopt the Consent Agenda, now consisting of Items 2.A-G and 2.I-V. 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

ABSENT (0): None

- A. ID 20-237 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 CivicPlus, LLC, for continued support of the CivicRec Software used for the Parks and Recreation Department, 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 7255 - awarded to CivicPlus, LLC, in the five (5) year not-to-exceed amount of \$250,000).

ASSIGNED ORDINANCE NO. 20-237

- B. ID 20-269 Consider adoption of the master ordinance of the City of Denton, Texas establishing the extendable commercial paper financing program and authorizing extendable commercial paper notes, series A and providing an effective date

ASSIGNED ORDINANCE NO. 20-269

- C. ID 20-803 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$100,000,000 in principal amount of "City of Denton General Obligation Refunding Bonds"; authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; enacting other provisions relating to the subject; and providing an effective date

ASSIGNED ORDINANCE NO. 20-803

- D. ID 20-476 Consider adoption of an ordinance of the City of Denton amending Chapter 26 of the Code of Ordinances to add Sections 26-14 through 26-22 establishing an Identity Theft Prevention Program; and providing a severability clause and an effective date.

ASSIGNED ORDINANCE NO. 20-476

- E. ID 20-695 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 Credit Systems International Inc., for Collection Services for unpaid Utilities, Miscellaneous Account Receivables, Fire/EMS and Code Enforcement owed by customers of Denton Municipal Utilities, Fire Department and City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7243 - awarded to the lowest responsive bidder for each line item: Credit Systems International Inc. in a five (5) year, not-to-exceed amount of the applicable percentage of fees collected as provided in the contract).

ASSIGNED ORDINANCE NO. 20-695

- F. ID 20-696 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 Linebarger, Goggan, Blair, and Sampson, LLP., for collection services Municipal Court fines owed by customers of the City Of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7243 - awarded to the lowest responsive bidder for each line item: Linebarger, Goggan, Blair, and Sampson, LLP, for a five (5) year term, in not-to-exceed amount 30% of fees collected).

ASSIGNED ORDINANCE NO. 20-696

- G. ID 20-712 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to execute and receive a funding agreement between the City of Denton and the North Central Texas Council of Governments, for the 511DFW/WAZE Data Sharing Program; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-712

- I. ID 20-716 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Advance Funding Agreement in the amount of \$3,000,000.00 by and between the State of Texas, acting through the Texas Department of Transportation (TxDOT) and the City of Denton, regarding the second payment for water and wastewater improvements associated with the US 377 (Ft Worth Drive) roadway widening project, located between IH35E to South of FM1830 within the City of Denton; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-716

- J. ID 20-725 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 Customs Landscapes, Inc., dba Classic Landscapes and Maintenance, as the primary contractor, Joiner Septics LLC, as the secondary contractor, and 19 Rozez LLC, as the tertiary contractor for Landscape and Sod Replacement Services for various City departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7190 - awarded to Customs Landscapes, Inc., dba Classic Landscapes and Maintenance - primary, Joiner Septics LLC - secondary, and 19 Rozez LLC - tertiary, in the three (3) year, not-to-exceed amount of \$865,050).

ASSIGNED ORDINANCE NO. 20-725

- K. ID 20-726 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for approval of a pre-qualified artist list for Economic Development, for various public art projects within the City of Denton, regarding different styles and types of art work. Providing an effective date (RFQ 7265 - for a two (2) year term).

ASSIGNED ORDINANCE NO. 20-726

- L. ID 20-746 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 Service Agreement between the City of Denton and Freese & Nichols, Inc., amending the contract approved by City Council on July 16, 2019, in the not-to-exceed amount of \$106,750; said first amendment to provide preparations of an Emergency Response Plan in compliance with the America's Water Infrastructure Act (AWIA) of 2018; providing for the expenditure of funds therefore; and an effective date (File 6590-061 - providing for an additional first amendment expenditure amount not-to-exceed \$76,000, with the total contract amount not-to-exceed \$182,750).

ASSIGNED ORDINANCE NO. 20-746

- M. ID 20-747 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 The Wilson Group Inc., for the replacement of the windows at City Hall West located at 221 North Elm Street; providing for the expenditure of funds therefor; and providing an effective date (RFP 7175 - awarded to The Wilson Group, Inc., in the not-to-exceed amount of \$335,565).

ASSIGNED ORDINANCE NO. 20-747

- N. ID 20-752 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 Cowtown Bus Charters Inc., for charter bus transportation of recreation program trips offered through Parks and Recreation; providing for the expenditure of funds therefor; and providing an effective date (RFP 7197 - awarded to Cowtown Bus Charters Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$150,000).

ASSIGNED ORDINANCE NO. 20-752

- O. ID 20-754 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 Stuart C. Irby Company, for the supply of Electric Utility Distribution Capacitor Bank Assemblies for the City of Denton Distribution Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7097 - awarded to Stuart C. Irby Company, in the five (5) year not-to-exceed amount of \$830,000).

ASSIGNED ORDINANCE NO. 20-754

- P. ID 20-755 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Pape-Dawson Engineers, LLC, amending the contract approved by City Council on July 17, 2018, in the not-to-exceed amount of \$607,550, amended by Amendment 1 approved by Purchasing Staff in the not-to-exceed amount of \$638,050; said second amendment to provide for professional services related to the 2019 Street Reconstruction Project to reconstruct the roadways, replace damaged curb and gutter, analysis of two drainage areas, and inventory the sidewalks along roadways and to provide construction services such as review of submittal, Requests for Information, Change Order, etc.; providing for the expenditure of funds therefor; and providing an effective date (File 6590-006 - providing for an additional amendment expenditure amount not-to-exceed \$36,000, with the total contract amount not-to-exceed \$674,050).

ASSIGNED ORDINANCE NO. 20-755

- Q. ID 20-756 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Agreement with Denton County, under the Government Code, Chapter 791.001, to authorize consolidated communication systems for Public Safety; authorizing the expenditure of funds therefor; and declaring an effective date (File 7278 - award an Interlocal Agreement with Denton County).

ASSIGNED ORDINANCE NO. 20-756

- R. ID 20-758 Consider adoption of an ordinance of the City Of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to utilize a contract through the City of Fort Worth, for repair services of Komatsu heavy equipment for the City of Denton Fleet Services Department, as awarded by the City of Fort Worth RFP #17-0362; providing the expenditure of funds therefor; and providing an effective date (File 7298 - awarded to Kirby-Smith Machinery, Inc., in the not-to-exceed amount of \$450,000).

ASSIGNED ORDINANCE NO. 20-758

- S. ID 20-759 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager, or his designee, to execute a contract with Cues, Inc., through the Buy Board Cooperative Purchasing Network Contract # 593-19, to purchase a spider manhole inspection camera along with additional parts and labor cost associated with the system for the Operations Planning Department of the Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (File 7329 - awarded to Cues, Inc., 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 \$150,000).

ASSIGNED ORDINANCE NO. 20-759

- T. ID 20-777 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 BRCT, LLC, dba Black Rock Construction, for the construction of the Rayzor South Bore project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7272 - awarded to BRCT, LLC, dba Black Rock Construction, in the not-to-exceed amount of \$162,435).

ASSIGNED ORDINANCE NO. 20-777

- U. ID 20-778 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 Armely, LLC, for the purchase of consulting services, data warehousing, data visualization, training, maintenance and support; providing for the expenditure of funds therefor; and providing an effective date (RFP 7186 - awarded to Armely, LLC, 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 \$980,700).

ASSIGNED ORDINANCE NO. 20-778

- V. ID 20-779 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 Resolved Energy Consulting, LLC, for the supply of Energy Management Office (EMO) Regulatory Advisement Services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7238 - awarded to Resolved Energy Consulting, LLC, in the three (3) year not-to-exceed amount of \$415,680).
ASSIGNED ORDINANCE NO. 20-779

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

- H. ID 20-715 Consider adoption of an ordinance of the City of Denton, authorizing the city manager to execute a funding agreement between the city and Fair Oaks of Denton Incorporated to provide Home Investment Partnership Program funds for public improvements of Fair Oaks senior complex costs for the purchase and installation 25 HVAC units of a community village in Denton, Texas; authorizing the expenditure of funds not to exceed \$105,338.00; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-715

Pulled for individual consideration by Council Member Briggs.

Council Member Briggs had a conflict of interest on the item and was removed from the video conference for this item, thereby not participating on consideration of the item.

The item was not presented or discussed.

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 Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

ABSTAIN (1): Council Member Briggs

Mayor Watts announced Individual Consideration Items would be considered before the Public Hearings as the agreements needed to be in place before the public hearing.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 20-761 Consider adoption of an ordinance of the City of Denton authorizing the execution of an operating agreement with "Cole Ranch Improvement District No. 1 of Denton County, Texas", relative to funding, ownership, maintenance, and repair of public improvements serving property located within the "Cole Ranch Improvement District No. 1 of Denton County, Texas" and other related matters; and providing an effective date

ASSIGNED ORDINANCE NO. 20-761

Council Member Armintor moved to postpone the item until the COVID-19 pandemic was over. Following discussion, the motion to postpone was withdrawn in order to allow public comments.

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 5 online comments: 0 in Support and 5 in Opposition
- 3 call-ins: 0 in Support, 0 in Opposition and 3 Not Stated

Council Member Armintor moved to postpone the item until the end of the COVID-19 Orders were over. Motion seconded by Council Member Briggs. Motion failed.

AYES (2): Council Members Briggs and Armintor

NAYS (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis, Ryan, and Meltzer

The meeting was recessed for a short break at 7:51 p.m. and reconvened at 8:03 p.m.

Discussion continued.

Prior to voting on the item, City Council proceeded to consider Individual Consideration Item 4.C (ID 20-762).

Later in the meeting, the item returned for consideration.

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

NAYS (3): Council Members Brigg, Armintor, and Meltzer

- B. ID 20-760 Consider adoption of an ordinance of the City of Denton authorizing the execution of a project agreement with SLF II Cole Property, L.P. relative to funding, ownership, maintenance, and repair of public improvements serving property located within the "Cole Ranch Improvement District No. 1 of Denton County, Texas" and other related matters; and providing an effective date (Contract #7331)

ASSIGNED ORDINANCE NO. 20-760

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 6 online comments: 0 in Support and 6 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

Council Member Ryan moved to approve the item as presented. Motion seconded by Council Member Davis. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Brigg, Armintor, and Meltzer

- C. ID 20-762 Consider approval of a resolution of the City of Denton, Texas, consenting to the creation of "Cole Ranch Improvement District No. 1 of Denton County, Texas" and the inclusion of land therein; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-762

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 5 online comments: 0 in Support and 5 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

Council Member Meltzer moved to deny the item. Motion seconded by Council Member Armintor. Motion failed.

AYES (3): Council Members Briggs, Armintor, and Meltzer

NAYS (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

Discussion continued.

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

NAYS (3): Council Members Briggs, Armintor, and Meltzer

- D. ID 20-763 Consider adoption of an ordinance of the City of Denton authorizing the execution of an operating agreement with "Hunter Ranch Improvement District No. 1 of Denton County, Texas", relative to funding, ownership, maintenance, and repair of public improvements serving property located within the "Hunter Ranch Improvement District No. 1 of Denton County, Texas" and other related matters; and providing an effective date
- ASSIGNED ORDINANCE NO. 20-763**

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 5 online comments: 0 in Support and 5 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- E. ID 20-764 Consider adoption of an ordinance of the City of Denton authorizing the execution of a project agreement with Petrus Investment, L.P. relative to funding, ownership, maintenance, and repair of public improvements serving property located within the "Hunter Ranch Improvement District No. 1 of Denton County, Texas" and other related matters; and providing an effective date (Contract #7330).

ASSIGNED ORDINANCE NO. 20-764

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 2 online comments: 0 in Support and 2 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- F. ID 20-765 Consider approval of a resolution of the City of Denton, Texas, consenting to the creation of "Hunter Ranch Improvement District No. 1 of Denton County, Texas" and the inclusion of land therein; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-765

As the scheduled presentation related to Individual Consideration Items [4.A (ID 20-761), 4.B (ID 20-760), 4.C (ID 20-762), 4.D ID (20-763), 4.E ID (20-764), and 4.F (ID 20-765)], the items were read collectively into the record and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 1 online comments: 0 in Support and 1 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

Council Member Ryan moved to approve the item as presented. Motion seconded by Council Member Davis. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- G. ID 20-781 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the acceptance of a conservation easement from Petrus Investment, L.P., a Texas Limited Partnership; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-781

The item was presented and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

Mayor Pro Tem Hudspeth moved to approve the item 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

The meeting was recessed for a short break at 9:01 p.m. and reconvened at 9:13 p.m. The meeting continued with the Public Hearings.

3. PUBLIC HEARINGS

- A. S19-0015c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow a 150-foot monopole tower on approximately 4.37 acres of land located at 3401 Barcelona Street in the City of Denton, Denton County, Texas; adopting an amendment to the city's official zoning map; providing

for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. THIS PUBLIC HEARING HAS BEEN POSTPONED PENDING A PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION. (S19-0015, Speed of Light Broadband, Cindy Jackson)

As noted above, the public hearing was not held as it had been postponed pending a public hearing before the Planning and Zoning Commission.

- B. PD19-0005b Hold a public hearing and consider adoption of an ordinance of the City of Denton regarding a change in the zoning district and use classification of 10.91-acres from Planned Development-MR (PD-MR) zoning district and use classification and 1.51-acres from Mixed Use Neighborhood (MN) zoning district and use classification to a Planned Development (PD) zoning district on approximately 12.42-acres of land generally located on the southwest side of the intersection of the Southbound I-35E Service Road and Buc-ee's Boulevard, 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 a severability clause and an effective date. THIS PUBLIC HEARING HAS BEEN POSTPONED PENDING A PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION. (PD19-0005; Buc-ee's Outparcels, Cindy Jackson)

As noted above, the public hearing was not held as it had been postponed pending a public hearing before the Planning and Zoning Commission.

- C. ID 20-533 Hold a public hearing and consider adoption of an ordinance of the City of Denton, adopting Standards of Care for recreational care programs administered by Denton's Parks and Recreation Department pursuant to Texas Human Resources Code Section 42.041 (b) (14); and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 20-533

The item was presented and discussion followed.

Council Member Briggs moved to approve the item as presented. The second was held to allow the public hearing to be called.

With the public hearing opened, speakers were called. Citizen comments received are noted in Exhibit A. 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.

With no other callers waiting to speak, the public hearing was closed.

Motion seconded by Council Member Armintor. Motion carried.

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

NAYS (0): None

- D. MPC19-0002c Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas approving a major amendment to the Hunter Ranch Master Planned Community (MPC) district to supersede, repeal, and replace Ordinance Nos. 2008-286 and 2010-160 on approximately 3,167 acres of land described in Exhibit A, generally located on both sides of I-35W, between Robson Ranch Road and Vintage Boulevard in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, and providing for severability and an effective date. (MPC19-0002- Hunter Ranch)

ASSIGNED ORDINANCE NO. MPC19-0002c

As the scheduled presentation related to Public Hearing Items [3.D (ID MPC19-0002c), 3.E (ID MPC19-0002d), and 3.F (ID MPC19-0001b)], the items were read collectively into the record and public hearings opened and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

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

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 11 online comments: 0 in Support and 11 in Opposition
- 3 call-ins: 0 in Support, 0 in Opposition, and 0 Not Stated
- 1 email comment: 0 in Support and 1 in Opposition

Council Member Davis moved to approve the item as presented. Motion seconded by Council Member Ryan. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- E. MPC19-0002d Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a change in the zoning district from the Mixed-Use Neighborhood (MN) Zoning District and use classification on approximately 35.66 acres of land to Hunter Ranch Master Planned Community (MPC) Zoning District and use classification and from

Planned Development (PD) Zoning District on approximately 2.24 acres of land to Hunter Ranch Master Planned Community (MPC) Zoning district and use classification, generally located west of I-35W, between Allred Road and Robson Ranch Road, 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. (MPC19-0002 - Hunter Ranch District Boundary)

ASSIGNED ORDINANCE NO. MPC19-0002d

As the scheduled presentation related to Public Hearing Items [3.D (ID MPC19-0002c), 3.E (ID MPC19-0002d), and 3.F (ID MPC19-0001b)], the items were read collectively into the record and public hearings opened and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

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

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 5 online comments: 0 in Support and 5 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition

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

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer

- F. MPC19-0001b Hold a public hearing and consider adoption of an Ordinance of the City of Denton, Texas approving a major amendment to the Cole Ranch Master Planned Community (MPC) district to supersede, repeal, and replace Ordinance no. 2008-030 on approximately 3,169.4 acres of land described on Exhibit A, generally located west of Interstate 35 West, south of Tom Cole Road, bounded by Tom Cole Road to the north, bisected by FM 2449 near the center of the property, bounded on the eastern side by John Payne Road south of FM 2449 and Underwood Road north of FM 2449; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, and providing for severability and an effective date. (MPC19-0001 - Cole Ranch)

ASSIGNED ORDINANCE NO. MPC19-0001b

As the scheduled presentation related to Public Hearing Items [3.D (ID MPC19-0002c), 3.E (ID MPC19-0002d), and 3.F (ID MPC19-0001b)], the items were read collectively into the record and public hearings opened and voted on individually.

The presentation was made and discussion followed.

Citizen comments received are noted in Exhibit A. 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.

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

Mayor Watts announced the summary of public commentary/registrations. See Exhibit A for details.

- 7 online comments: 0 in Support and 7 in Opposition
- 0 call-ins: 0 in Support and 0 in Opposition
- 1 email comment: 0 in Support and 1 in Opposition

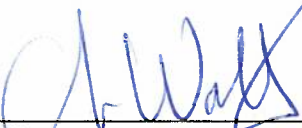
Mayor Pro Tem Hudspeth moved to adopt the item as presented. Motion seconded by Council Member Davis. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan
NAYS (3): Council Members Briggs, Armintor, and Meltzer


5. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 10:45 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: April 30, 2020

April 7, 2020 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Jennifer	Lane	1526 Willowood St.	Denton	20-781	Not Stated	Telephone	Many agree that the world needs more imagination, more "What If's?" to solve our problems, especially during these times. What if we incorporate innovative and responsible ideas into our city planning like Value Per Acre which can lower our taxes? Green Infrastructure and Low Impact Development that would provide us with cleaner air and water? Strategies that even benefit developers while enriching our community's quality of life and benefiting our native flora and fauna? That's a win/win/win!
Michael	Dooley	1019 Hopkins Dr	Denton	MPC19-0002c	Not Stated	Telephone	MPC19-0002c, d, and f WE ARE FACING A PANDEMIC right now. The CH1 development items are NOT NEARLY as important as our everyday issues w/Covid19. Please postpone any of the items on CH1 Ranch until all boards and commissions can meet again, when it will be safe again to host PUBLIC COMMENT IN PERSON. Please take the time to be more thoughtful on immediate needs w/pandemic. People need plans for rent, to feed their family, to be healthy. Our community begs of you for this attention NOW. Please
Jon	Hohman	3212 Hollyvreck St.	Denton	MPC19-0002c	Not Stated	Telephone	Allocation of city funds for new development needs to be withdrawn until Denton is no longer in a state of disaster. Funds need to be saved for recovery of our economy. My tax dollars already have been expended trying to fix the crumbling infrastructure that new apartment high rises were built on. Save our economy by not spreading what needs money for maintaining what is already damaged by mass development.
Jennifer	Lane	1526 Willowood St.	Denton	MPC19-0002c	Not Stated	Telephone	How will COVID-19 impact protest, many unanswered questions, no need to rush.
Jennifer	Lane	1526 Willowood St.	Denton	20-553	For	Telephone	
LuCinda	Boaz	1050 Brush Creek Road	Argyle	20-760	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	20-760	Against	Online	I oppose this agenda item.
Brandon	Boaz	1050 Brush Creek Road	Argyle	20-760	Against	Online	I oppose this agenda item.
Audrey	Bryant	6001 Thistle Hill	Denton	20-760	Against	Online	I oppose this agenda item.
Jon	Hohman	3212 Hollyvreck St.	Denton	20-760	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Anne	Sullivan	2225 Pembroke Place	Denton	20-760	Against	Online	I don't believe that the Hunter/Cole Ranch development falls under "essential business" so I think this topic and the public hearings should be postponed until a later date. Additionally, we don't know what our economy and/or Denton will look like after the Covid-19 pandemic so this is a premature discussion. Please postpone all of the Hunter/Cole agenda items.
LuCinda	Boaz	1050 Brush Creek Road	Argyle	20-761	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	20-761	Against	Online	I oppose this agenda item.
Brandon	Bryant	6001 Thistle Hill	Denton	20-761	Against	Online	I oppose this agenda item.
Audrey	Ken	2512 Naches Trace	Denton	20-761	Not Stated	Telephone	
Jon	Hohman	3212 Hollyvreck St.	Denton	20-761	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Jennifer	Prust	2111 Westwood Dr	Denton	20-761	Not Stated	Telephone	
Eric	Boaz	1526 Willowood St.	Denton	20-762	Against	Online	I oppose this agenda item.
LuCinda	Boaz	1050 Brush Creek Road	Argyle	20-762	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	20-762	Against	Online	I oppose this agenda item.
Brandon	Bryant	1050 Brush Creek Road	Argyle	20-762	Against	Online	I oppose this agenda item.
Audrey	Boaz	6001 Thistle Hill	Denton	20-762	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Jon	Hohman	3212 Hollyvreck St.	Denton	20-763	Against	Online	I oppose this agenda item.
LuCinda	Boaz	1050 Brush Creek Road	Argyle	20-763	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	20-763	Against	Online	I oppose this agenda item.
Brandon	Boaz	1050 Brush Creek Road	Argyle	20-763	Against	Online	I oppose this agenda item.
Audrey	Bryant	6001 Thistle Hill	Denton	20-763	Against	Online	I oppose this agenda item.
Jon	Hohman	3212 Hollyvreck St.	Denton	20-763	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Audrey	Bryant	6001 Thistle Hill	Denton	20-764	Against	Online	I oppose this agenda item.
Jon	Hohman	3212 Hollyvreck St.	Denton	20-764	Against	Online	I oppose this agenda item.
LuCinda	Boaz	1050 Brush Creek Road	Argyle	20-765	Against	Online	Please postpone all non disaster-relief and essential function business until a semblance of normalcy returns and the glitches in the public commenting are improved. Thank You!
Terry	Boaz	1050 Brush Creek Road	Argyle	MPC19-0001b	Against	Online	I oppose this agenda item.
Brandon	Boaz	1050 Brush Creek Road	Argyle	MPC19-0001b	Against	Online	I oppose this agenda item.
Christiana	Harris	3500 Cooper Branch West	Denton	MPC19-0001b	Against	Online	I oppose this agenda item.
Jon	Hohman	3212 Hollyvreck St.	Denton	MPC19-0001b	Against	Online	Allocation of city funds for new development needs to be withdrawn until Denton is no longer in a state of disaster. Funds need to be saved for recovery of our economy. We don't need to be using tax dollars to maintain new development when we can't even keep up with development thrown on a crumbling in the center of the city.
Lucas	Holl	815 Crestoak Place	Denton	MPC19-0001b	Against	Online	Please delay the entire MMD package, including all operating agreements, until you can safely hold in-person meetings for public comment. It would be poor form to approve massive new expenditures in the fog of Covid-19 while most are hyper-focused on their health, safety and immediate needs. Further, I urge the city to send out notices to all City residents to summarize the breadth and expense of the City's new obligations under the MMD and related operating agreements. Fair notice.
Shantrece	Zimmerer	2324 Brooklake St. West	Denton	MPC19-0001b	Against	Online	The Cole/Hunter development Public Hearing should be postponed to a time when the Public can properly assess all of the issues involved in a proposed development on Denton's west side that would be the size of Lewisville (15,000 new homes) and half again the size of Denton (Denton currently has 29,000 homes). A hearing on something this important should wait until the public can be informed and participate in the normal way. Most in Denton are completely unaware of what's happening on this and are fully engaged in dealing with the effects on them of the current health crisis. Much appreciation for the efforts the City is making to allow the public to participate in Council meetings virtually. However, Tuesday's meeting will be the first attempt at such participation and there are already glitches and will likely be more. The first glitch is that the DRC reports that people can call in between 6:00-6:30 to be put on the queue to speak to Council or receive help with their call in "white card" but the City's notice says to call "up till 30 minutes before," which would indicate that one can call from some unspecified time up till 6:00. No one knows the answer and when one calls the number for clarification, the recorded voice says to call back "at another time." The City has not yet even tried this means of receiving public input. At a normal meeting, people could arrive and submit a card anytime during the meeting before the item is called. There is no accommodation for this aspect. Other glitches too are likely to arise the first time attempting to manage public input. This is no way to hold a public hearing about something as important as Cole-Hunter is.
Shantrece	Phix	1050 Brush Creek Road	Argyle	MPC19-0002c	Against	Email	I oppose this agenda item.
LuCinda	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002c	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002c	Against	Online	I oppose this agenda item.
Brandon	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002c	Against	Online	I oppose this agenda item.
Ken	Canuthers	2101 Savannah Trl	Denton	MPC19-0002c	Against	Online	Did not answer multiple times.
Christiana	Harris	3500 Cooper Branch West	Denton	MPC19-0002c	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Jon	Hohman	3212 Hollyvreck St.	Denton	MPC19-0002c	Against	Online	
Shantrece	Park		Denton	MPC19-0002c	Against	Email	

Name	Last	Address	City	Agenda Item	Position	Method	Comments
EJ	Soph	1620 Victoria Dr.	Denton	MPC19-0002c	Against	Online	There must be language prohibiting the re-drilling or fracking of existing wells and the drilling/fracking of new wells on existing pad sites. Too, soil testing for toxic chemicals and radioactivity should be mandated when a school, park, playground or other protected use is to be situated within 1,000 ft. of an existing well or pad site. There are no distance requirements for compressor stations and that must be addressed as well.
Sandy	Swan	1413 Cambridge	Denton	MPC19-0002c	Against	Online	All discussions and decisions about Cole Hunter development should be postponed until after the end of the Stay at Home orders. Given their size and complexity, the Cole Hunter developments would have a major impact on the nature of our city. Greater community discussion and feedback is necessary. The Stay at Home orders reduces the ability of the community to provide adequate feedback.
Gary	Tunbail	3304 Stonewall Trl.	Argyle	MPC19-0002c	Against	Online	
Karin	Tunbail	3304 Stonewall Trl.	Argyle	MPC19-0002c	Against	Online	
Eileen	Zimmer	2324 Brooklake St. West	Denton	MPC19-0002c	Against	Online	
LuChida	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002d	Against	Online	I oppose this agenda item.
Terry	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002d	Against	Online	I oppose this agenda item.
Brandon	Boaz	1050 Brush Creek Road	Argyle	MPC19-0002d	Against	Online	I oppose this agenda item.
Christiana	Harris	3500 Cooper Branch West	Denton	MPC19-0002d	Against	Online	Allocation of city funds for new development needs to be withdrawn until Denton is no longer in a state of disaster. Funds need to be saved for recovery of our economy. Tax dollars need to be retained for the city during and after the disaster.
Jen	Holman	3212 Hollycreek St.	Denton	MPC19-0002d	Against	Online	Please postpone all non disaster-relief and essential function business until some form of normalcy returns. Thank You!
Brian (Applicant)	Carlock	3000 Turtle Creek Blvd.	Dallas	MPC19-0002c	For	Telephone	Detailed specifics of the proposed project; if City has certain guidelines/requirements, their project is expected to exceed those standards.

NOTE: Comments for those citizens addressing the City Council are an abbreviated summary.