

CITY OF DENTON CITY COUNCIL MINUTES
May 12, 2020

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Closed Meeting on Tuesday, May 12, 2020, at 8:04 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas, consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as indicated below.

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 video/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. There were no online registrations/commentary submitted.

CLOSED MEETING

- 1.A. ID 20-929 Deliberations regarding Personnel Matters - Under Government Code Section 551.074. Conduct City Auditor candidate interviews and discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a City Auditor.
DELIBERATED

- 1.B. Adjournment of the Closed Meeting.

The Closed Meeting started at 8:10 a.m. and ended at 11:39 p.m. No votes or actions were taken during the Closed 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, May 12, 2020, at 1:04 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 video/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. There were no online registrations/commentary submitted.

1. Item for Individual Consideration

- A. ID 20-960 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, extending the effective period of the declaration of disaster concerning Green Tree Estates, a subdivision located within the limits of the City, to July 31, 2020; authorizing the continued expenditure of a total amount not to exceed \$100,000 during this entire disaster declaration period as authorized by City Council on November 15, 2019; and, providing an effective date.

Translation services for this item were provided by Translation and Interpretation Network. Mr. Duagleer Chinchilla provided translation services for incoming callers in the Work Session Room, and Mr. Jesus Palacios provided simultaneous translation services on the other telephone lines.

The item was presented and discussion followed.

Citizen comments received are noted in Exhibit A.

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

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

- 0 online comments
- 5 call-in: 0 in Support, 0 in Opposition, 4 Not Stated, and 1 Cancellation.

The Special Called Meeting was recessed for a short break at 2:21 p.m. and reconvened at 2:34 p.m.

The Special Called Meeting was adjourned at 2:34 p.m., however, the Special Called Meeting was reconvened at 2:34 p.m. as formal action had not yet been taken on the item.

Discussion on the item continued.

City Council was informed that at the May 5 Work Session, under Item 1.A (ID 20-832), one of the directions provided was to hold a meeting on July 14, a date initially designated as a non-meeting date. The proposed presentation on that date was then reset to June 21.

Council Member Armintor moved to adopt the item with the following changes:

- **SECTION 3.** Pursuant to Section 418.108(b), Texas Government Code, and Section 9-27, City of Denton Code of Ordinances, the effective period of Declaration of Disaster executed by the Mayor on November 13, 2019, extended for an additional ninety days by the City Council under Ordinance No. 19-2784, extended to May 22, 2020 by the City Council under Ordinance No. 20-293, is extended until July 31, November 13, 2020.
- **SECTION 5.** That all residents receiving the water services set forth herein shall pay the full cost of service for the same beginning at the next billing date after this ordinance has been signed.

Motion seconded by Council Member Meltzer.

Council Member Meltzer moved a friendly amendment to modify the timeline as follows:

- **SECTION 3.** Pursuant to Section 418.108(b), Texas Government Code, and Section 9-27, City of Denton Code of Ordinances, the effective period of Declaration of Disaster executed by the Mayor on November 13, 2019, extended for an additional ninety days by the City Council under Ordinance No. 19-2784, extended to May 22, 2020 by the City Council under Ordinance No. 20-293, is extended until July 31, November 13, 2020.
- **SECTION 3** (ii) the City shall, if one or more of the fee simple property owners in Green Tree Estates elects to connect to the City water system and pays all connection-related fees in full by July 3, November 13, 2020, set individual meters and extend, at the City's cost which is not-to-exceed \$10,000.00...
- **SECTION 4** (ii) if one or more of the fee simple property owners in Green Tree Estates elects to connect to the City water system and pays all connection-related fees in full by July 3, November 3, 2020...

Council Member Armintor accepted the friendly amendment.

Council Member Briggs, offered a friendly amendment to use the timeline presented on May 5 which encompassed the following dates:

- October 5, 2020 – pay tap meter and impact fee
- October 23, 2020 – meter set for those who have paid City fees
- November 13, 2020 – residents connected to City water and declaration ends

Council Member Meltzer and Council Member Armintor accepted the friendly amendment.

Discussion continued.

The meeting was recessed for a short break at 3:12 p.m. and reconvened at 3:21 p.m.

Council Member Meltzer offered a friendly amendment to move the date the billing cycle will start to around June 13. The friendly amendment was not accepted by Council Member Armintor.

Council Member Armintor amended her motion on the date to include the billing cycle to July 24^h rather than November 13 as initially proposed. The amendment was accepted by Council Member Meltzer.

Following discussion, Council Member Armintor withdrew her original motion as amended and including the friendly amendments accepted from Council Members Meltzer and Briggs.

Council Member Meltzer moved to adopt the item with the following changes:

- October 5, 2020 - pay tap meter and impact fee;
- October 23, 2020 - meter set for those who have paid City fees;
- November 13, 2020 - residents connected to City water and declaration ends; and
- Cost of water service added into the cost of the regular water in amount of \$385-400 per month.

Motion seconded by Council Member Briggs. Motion failed.

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

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

Council Member Briggs moved to adopt the item as presented. Motion seconded by Council Member Armintor. Motion carried.

AYES (5): Mayor Watts and Council Members Briggs, Ryan, Armintor, and Meltzer

NAYS (2): Mayor Pro Tem Hudspeth and Council Member Davis

The Special Called Meeting was recessed for as short break at 3:35 p.m. and reconvened at 3:40 p.m.

With no other business, the Special Called Meeting was adjourned at 3:41 p.m.

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, May 12, 2020, at 3:41 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 video/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. There were no online registrations/commentary submitted.

1. Citizen Comments on Consent Agenda Items

None.

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

- Consent Item 1.A (ID 20-20-904) - Pulled for Individual Consideration. (Armintor)
- Consent Item 1.B (ID 20-905) - As requested, staff clarified the service is the same firm as that who did the previous work as well as the same company as with Consent Item 1.A (ID 20-904) with the City Attorney's Office utilizing the services only if needed. (Briggs)
- Consent Item 1.B (ID 20-20-905) - Pulled for Individual Consideration. (Armintor)
- Consent Item 1.C (ID 20-906) - As requested, staff clarified the cost of the dyno dirt is being purchased at the City's cost with no additional cost. (Briggs)
- Consent Item 1.C (ID 20-20-906) - Pulled for Individual Consideration. (Armintor)

3. Work Session Reports

- A. ID 20-864 Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.

The item was presented and discussion followed.

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

- B. ID 20-315 Receive a report, hold a discussion and give staff direction regarding emergency credit and collection measures and reopening strategy.

The item was presented and discussion followed.

Following discussion, staff was directed to continue under the 60-Day Plan as presented and incorporate the Public Utilities Board recommendations.

The meeting was recessed for a short break at 4:45 p.m. and reconvened at 5:08 p.m.

- C. ID 20-729 Receive a report, hold a discussion, and give staff direction regarding an internal audit of Capital Projects Administration - Planning and Design.

The item was presented and discussion followed.

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

- D. ID 20-730 Receive a report, hold a discussion, and give staff direction regarding an internal audit of Capital Projects Administration - Property Acquisition.

The item was presented and discussion followed.

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

- E. ID 20-912 Receive a report, hold a discussion, and give staff direction regarding an internal audit of Capital Projects Administration - Construction.

The item was presented and discussion followed.

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

The Work Session ended at 5:36 p.m.

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, May 12, 2020, at 5:36 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 video/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. There were no online registrations/commentary submitted.

1. CONSENT AGENDA

The Consent Agenda consisted of Items 1.A-H. During the Work Session held earlier in the day, Items 1.A (ID 20-904), 1.B (ID 20-905), and 1.C (ID 20-906) were pulled for Individual Consideration by Council Member Armintor.

Council Member Ryan moved to adopt the consent agenda, now consisting of Items 1.D-H. 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

- D. ID 20-907 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 Lexipol, LLC, for the customized policy management, update, and training solution for the Fire Department, which is the sole provider of this service, 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 7279 - awarded to Lexipol, LLC, in the five (5) year not-to-exceed amount of \$81,837).

ASSIGNED ORDINANCE NO. 20-907

- E. ID 20-908 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 Lexipol, LLC, for the customized policy management, update, and training solution for the Police Department, which is the sole provider of this service, 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 7279 - awarded to Lexipol, LLC, in the five (5) year not-to-exceed amount of \$131,571).

ASSIGNED ORDINANCE NO. 20-908

- F. ID 20-911 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7288 for the Oracle HCM Implementation for the City of Denton Human Resource Department; and providing an effective date (RFP 7288).

ASSIGNED ORDINANCE NO. 20-911

- G. ID 20-953 Consider approval of the minutes of April 30 and May 5, 2020.

- H. ID 20-955 Consider adoption of an ordinance authorizing an encroachment agreement between the City of Denton, as Grantor, and TT of North Texas, Inc., a Texas corporation, as Grantee, regarding the placement of private improvements that encroach into (i) a Sanitary Sewer easement, recorded in Volume 464 Page 188, Deed Records, Denton County, Texas and (ii) a Public Utility Easement, recorded in Volume 1143 Page 125, Deed Records, Denton County, Texas and being in the G. Walker Survey, Abstract No. 1330, City of Denton, Denton County, Texas; providing an effective date. (Honda of Denton Encroachment Agreement request - Mark Laird)

ASSIGNED ORDINANCE NO. 20-955

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- A. ID 20-904 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 7 Arrows Land Staff, LLC, for easement/property acquisition services for the Capital Improvement Program for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6862 - awarded to 7 Arrows Land Staff, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in a total five (5) year not-to-exceed amount of \$430,000).

ASSIGNED ORDINANCE NO. 20-904

Pulled for Individual Consideration by Council Member Armintor.

The item was briefly presented and discussion followed.

Mayor Watts announced there were no online registrations or call-ins on the item.

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

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

NAYS (1): Council Member Armintor

- B. ID 20-905 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 Power Engineers, Inc., for program management, construction inspection services, and professional engineering services for the Capital Improvement Program for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6862 - awarded to Power Engineers, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in a total five (5) year not-to-exceed amount of \$5,070,304.)

ASSIGNED ORDINANCE NO. 20-905

Pulled for Individual Consideration by Council Member Armintor.

The item was briefly presented and discussion followed.

Mayor Watts announced there were no online registrations or call-ins on the item.

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

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

NAYS (1): Council Member Armintor

- C. ID 20-906 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 MasterTurf Products and Services, Inc., for the top-dressing of parks and athletic fields for the Parks and Recreation Department; providing for the expenditure of funds therefore; and providing an effective date (RFP 7289 - awarded to MasterTurf Products and Services, 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 \$400,000).

ASSIGNED ORDINANCE NO. 20-906

Pulled for Individual Consideration by Council Member Armintor.

The item was not presented and no discussion followed.

Citizen comments received are noted in Exhibit A.

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

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

- 0 online comment
- 1 call-in: 0 in Support, 0 in Opposition and 1 Not Stated

Discussion continued.

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

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

NAYS (1): Council Member Armintor

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 20-933 Consider approval of a resolution of the City of Denton regarding the creation of the Legends Ranch Municipal Utility District of Denton County, encompassing approximately 496.136 acres of land located north of U.S. Hwy 380, east of Nail Road, and west of Thomas J. Egan Road, within Division I of the Extraterritorial Jurisdiction of the City of Denton, Texas; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-933

The item was presented and discussion followed.

Mayor Watts announced there were no online registrations or call-ins on the item.

Council Member Armintor moved to adopt the item as presented denying the creation of the Legends Ranch Municipal Utility District of Denton, County. Motion seconded by Council Member Davis. Motion carried.

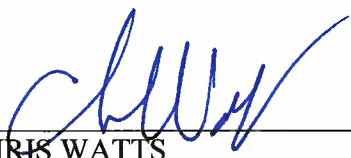
AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None


3. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 6:13 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: June 2, 2020

May 12, 2020 City Council Regular Meeting - EXHIBIT A

**Speaker Commentaries/Registrations
Online, Email, Phone**

Name	Last	Address	City	Agenda Item	Position	Method	Comments
John	Hohman	3212 Hollycreek Street	Denton	20-906	N/A	Telephone	The application of dyno dirt where children play is installing sewage sludge. Also used to replace microbes, but then need to know what happens with microbes. Reported on results of not putting fertilizer in the ground and promoting use of organic material.
Elva	Hernandez	6509 Willow Lane	Denton	20-960	N/A	Telephone	Reported on efforts and how her family felt when the entire issue started. After so much effort/sacrifice in making home for family, City comes in with the idea of going to a shelter with the City knowing 10 years prior on the water issue at Green Tree Estates, yet residents were given 6 months to comply with City requirements. Have been working on complying but with COVID-19, the everyone had to stop. City still requiring compliance with little concern for residents. Hope they make a good decision on this issue.
Beatrice	Martinez	4055 Ash Lane	Denton	20-960	N/A	Telephone	Not asking for anything but just to say thank you. Feels sad and grateful at the same time. Appreciative of the hard work the Council has made for her community as is your responsibility without regard to race, color or gender.
Lilyan	Prado-Carrillo	Address not provided	Denton	20-960	N/A	Telephone	Thanked Council for their time. Residents reported they have made every effort to meet the requirements of the City. There has been a double standard; City talking for months on providing water but only 2 months to connect to the water. Addressed certain sections of the public notifications sent out by the City as well as LUCAC efforts to assist the City. Appreciates City's efforts but wants to make sure all sides are heard.
Gabby	Quiros	Coit Street	Denton	20-960	N/A	Telephone	Residents feel they have not been properly represented in the past with translation services and glad City has addressed that issue. Roadways on Green Estates could or could not be privately owned. Type of water being provided should be for certain things and not interchanged with other uses (potable to non-potable water).

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