

CITY OF DENTON CITY COUNCIL MINUTES

May 19, 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 19, 2020, at 1:03 p.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 20-834 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the legal status, expenses, strategy and options for resolution of litigation 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 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, or otherwise compromise the City's legal position in pending litigation.

DELIBERATED

The Closed Meeting was recessed for a short break at 2:25 p.m. and reconvened at 2:35 p.m.

- 1.B. ID 20-970 Deliberations regarding Personnel Matters-Under Government Code Section 551.074. Discuss and deliberate evaluation of candidates and the appointment/employment of a City Auditor.

DELIBERATED

- 1.C. Adjournment of the Closed Meeting.

The Closed Meeting started at 1:04 p.m. and ended at 3:00 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, May 19, 2020, at 3:10 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

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 Items 3.C (ID-20-934) and 3.E (ID 20-937) - Pulled for Individual Consideration. (Briggs)
- Consent Items 3.C (ID-20-934) and 3.E (ID 20-937) - As requested, staff clarified the cost range under the scope of services being provided/bid responses. (Armintor)
- Consent Items 3.F (ID-20-938) - As requested, staff clarified the services would increase the quality of the video and sound. (Briggs)
- Consent Items 3.F (ID-20-938) - As requested, staff clarified the data to be stored under the scope of services to be provided. (Armintor)
- Consent Item 3.G (ID 20-941) - Pulled from consideration at staff's request to be rescheduled in June. (Watts)
- Consent Item 3.I (ID 20-915) - Pulled for Individual Consideration. (Davis)

3. Work Session Reports

Note: The items are listed in the order presented/discussed.

- C. ID 20-851 Receive a report, hold a discussion, and give staff direction regarding amendments to the Ethics Ordinance and the Board of Ethics's Rules of Procedure.

The item was presented and discussion followed.

Following discussion, City Council consensus was to continue with the proposed changes with an ordinance to be scheduled for consideration at a later date.

- A. ID 20-942 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 presentation purposes only. All were notified a Special Called City Council Meeting was scheduled for Friday, May 29, for City Council to consider potential changes to its order for consistency with the requirements set forth by Governor Abbott's Emergency Order.

The meeting was recessed for a short break at 4:28 p.m. and reconvened at 4:37 p.m.

- B. ID 20-948 Receive a report, hold a discussion, and give staff direction regarding a substantial amendment to the 2019 Action Plan for Housing and Community Development submitted in June 2019 to the U.S. Department of Housing and Urban Development in regard to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136 which provided \$618,736 in funding from the Community Development Block Grant (CDBG) to the City of Denton and the upcoming 2020 Action Plan and the 2020-2022 Consolidated Plan for Housing and Community Development.

The item was presented and discussion followed.

Following discussion, staff was directed to not proceed with the proposed resolution as presented but return with other options on the unit mix.

The meeting was recessed for a short break at 6:12 p.m. and reconvened at 6:22 p.m.

- E. ID 20-460 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. Drafting and passing an ordinance requiring all towing companies to provide vehicle owners of all required notifications orally and in writing following a non-consensual tow.

The item was presented and discussion followed.

Following discussion, results were as follows:

- Item 20-460: 1. Drafting and passing an ordinance requiring all towing companies to provide vehicle owners of all required notifications orally and in writing following a non-consensual tow.
 - No consensus to support an ordinance

The Work Session ended at 6:28 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, May 19, 2020, at 6:37 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. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.

B. Receive Scheduled Reports from Members of the Public.

1) Pre-registration.

- a. ID 20-969 Jennifer Hughes, 1029 Coit Street, regarding lowering the Denton Municipal Utilities usage fees during the COVID-19 pandemic crisis -
PRESENTED

2) Open Microphone.

None.

3. CONSENT AGENDA

The Consent Agenda consisted of Items 3.A-K. During the Work Session held earlier in the day, Items 3.C (ID-20-934) and 3.E (ID 20-937) were pulled for Individual Consideration by Council Member Briggs. Item 3.G (ID 20-941) was pulled from consideration by Mayor Watts at staff's request. Item 3.I (ID-20-915) was pulled for Individual Consideration by Council Member Davis.

Council Member Briggs moved to adopt the Consent Agenda, now consisting of items 3.A, 3.B, 3.D, 3.F, 3.H, 3.J, and 3.K. Motion seconded by Council Member Ryan. Motion carried.

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

NAYS (0): None

- A. ID 20-932 Consider adoption of an ordinance of the City of Denton authorizing the City Manager, or his designee, to convey a Supplemental Transmission Line Easement and a Temporary Construction Easement to Oncor Electric Delivery Company LLC. containing approximately a total of 0.9064 acres on a tract of City owned property in the Moreau Forrest Survey, Abstract No. 417, City and County of Denton, Texas, providing for severability and an effective date.

ASSIGNED ORDINANCE NO. 20-932

- B. ID 20-753 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7102 for the construction of the additions of twelve (12) bays to the Fleet Services Building and four (4) bays to the Flushing Truck Storage Building located at 804 Texas Street; and providing an effective date (RFP 7102). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-753

- D. ID 20-935 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7262 for the renovation of the 651 Mayhill building located at 651 South Mayhill Road; and providing an effective date (RFP 7262).

ASSIGNED ORDINANCE NO. 20-935

- F. ID 20-938 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 Axon Enterprise, Inc., through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-TSO-3561 for the purchase of police in-car camera system (Axon Fleet System) for 100 vehicles including cameras, software, peripherals, routers, maintenance and services; providing for the expenditure of funds therefor; and providing an effective date (File 7313- awarded to Axon Enterprise, Inc., in the five (5) year not-to-exceed amount of \$1,422,450).

ASSIGNED ORDINANCE NO. 20-938

- H. ID 20-914 Consider approval of a resolution of the City of Denton, a Texas municipal home-rule corporation, supporting participation in the 2020 Transportation Alternative Call for Projects by submitting an application to participate in the Safe Routes to School Transportation Alternatives Set-aside Program, for the purpose of securing funding related to the Safe Route to Sam Houston Elementary School Project; confirming anticipated funding should the application be accepted; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-914

- J. ID 20-958 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, amending the FY 2019-20 Annual Audit Plan; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-958

- K. ID 20-959 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. 20-959

ITEM PULLED FROM CONSIDERATION

- G. ID 20-941 Consider adoption of an ordinance of the City of Denton approving a Consent to Sublease between Nebrig & Associates, Inc. and US Trinity Aviation, LLC, for lease of a fuel facility and equipment at the Denton Enterprise Airport; and providing an effective date.

As announced earlier during the Work Session, the item was pulled from consideration by Mayor Watts at staff's request.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- E. ID 20-937 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7281 for a professional service agreement to supply a comprehensive Solid Waste Management Strategy, for the Solid Waste and Recycling Departments; and providing an effective date (RFP 7281). The Public Utilities Board recommends approval (6 - 1).

Pulled for individual consideration by Council Member Briggs.

Following discussion Council Member Briggs moved to postpone the item to June 2. 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

- C. ID 20-934 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7169 for the Smart Routing Solutions for the City's Solid Waste and Recycling Departments; and providing an effective date (RFP 7169). The Public Utilities Board recommends approval (6 - 0).

Pulled for individual consideration by Council Member Briggs.

Following discussion Council Member Briggs moved to postpone the item to June 2. 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

- I. ID 20-915 Consider approval of a resolution of the City of Denton, a Texas municipal home-rule corporation, supporting participation in the 2020 Transportation Alternative Call for Projects by submitting an application to participate in the Safe Routes to School Transportation Alternatives Set-aside Program, for the purpose of securing funding related to the Safe Route to Newton Razor Elementary School Project; confirming anticipated funding should the application be accepted; and providing an effective date.

ASSIGNED RESOLUTION NO. 20-915

Pulled for Individual Consideration by Council Member Davis.

Council Member Davis 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.

Council Member Briggs moved to approve the item as presented. Motion seconded by Council Member Meltzer. Motion carried.

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

NAYS (0): None

ABSTAIN (1): Council Member Davis

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 20-500 Consider appointments to the Tax Increment Reinvestment Zone (TIRZ) Number Two Board of Directors, including appointment of a chairperson.

The item was presented and discussion followed.

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

Following discussion, Council Member Briggs moved to reappoint the following with Marty Rivers' reappointment as Chair:

TAX INCREMENT REINVESTMENT ZONE NUMBER TWO BOARD

Member	Appointment Term
Keely Briggs - EDPB; City Council	2019-2021
Jesse Davis - EDPB; City Council	2020-2022
Marty Rivers - Chair – EDPB; Chamber of Commerce	2020-2022
Jill Jester - EDPB; Chamber of Commerce	2019-2021
Chris Davis - EDPB; Top 20 Taxpayer	2019-2021
Bob Eames - EDPB; Aviation	2019-2021
John Baines - EDPB; Denton Black Chamber of Commerce	2019-2021

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

- B. ID 20-895 Consider approval of a resolution to appoint a member to the Board of Directors of Texas Municipal Power Agency, a Joint Powers Agency, to represent the City of Denton, Texas; and declaring an effective date.

ASSIGNED RESOLUTION NO. 20-895

The item was presented and discussion followed.

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

Following discussion, Council Member Davis moved reappoint Bill Cheek as the City's representative on the Texas Municipal Power Agency for a term beginning July 18, 2020 and ending July 18, 2022. Motion seconded by Council Member Ryan. Motion carried.

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

NAYS (0): None

- C. ID 20-964 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation authorizing and approving the execution by the City Manager, or his designee, of an agreement between the City of Denton, Texas and STH Project, a non-profit corporation ("STH"), providing for authorization of STH to provide lunches to children under the age of eighteen and qualifying disabled participants through age 21 at no charge to said recipients during the summer months at designated City of Denton park and recreation facility sites; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-964

The item was presented and discussion followed.

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

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

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

NAYS (0): None

- D. ID 20-973 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Attorney, or his designee, to execute an engagement letter with Lloyd Gosselink Rochelle & Townsend, P.C., for professional legal services relating to the City's compliance with Public Utility Commission of Texas electric transmission service rules, rulemaking, and proceedings, and, as needed, electric utility matters generally; providing for the expenditure of funds in a not to exceed amount of \$100,000.00; providing an effective date.

ASSIGNED ORDINANCE NO. 20-973

The item was presented and discussion followed.

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

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

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

NAYS (0): None

5. PUBLIC HEARINGS

- A. S19-0015e Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a Specific Use Permit to allow a new monopole tower no more than 88 feet in height 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. The Planning and Zoning Commission recommended Approval (7-0). (S19-0015, Speed of Light Broadband, Cindy Jackson)

ASSIGNED ORDINANCE NO. S19-0015e

The item was presented and discussion followed.

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

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

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

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

Council Member Ryan moved to approve 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. PDA20-0001a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the Detailed Plan for Planned Development 142, (Stonehill Center), generally located at the northeast corner of the I-35 Northbound Service Road and Westgate Drive, in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted (7-0) to approve the request. (PDA20-0001a, Stonehill Center Office, Julie Wyatt)
ASSIGNED ORDINANCE NO. PDA20-0001a

The item was presented and discussion followed.

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

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

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

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

Council Member Briggs moved to approve 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

6. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 8:09 p.m.


CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS


ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: June 2, 2020

May 19, 2020 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Jennifer	Hughes	1029 Coit Street	Denton	20-569 - Public Presentation	N/A	Telephone	Regarding lowering the Denton Municipal Utilities usage fees during the COVID-19 pandemic crisis.
Aimee	Bissett (Applicant)	1117 Joshua Tree Lane	Celina	PDA20-0001a	In support	Telephone	Provided an overview of the proposed services and amenities to be provided by the proposed occupant and within the proposed development.
Alex	Payne (Applicant)	2304 Cavendish Lane	Argyle	PDA20-0001a	In Support	Telephone	Provided an overview of the proposed development.
John	Hall (Applicant)	1310 Chimney Rock Drive	Keller	S19-0015e	In Support	Telephone	Provided detail on proposed project as owner of the business/property and applicant.
Mark	Martin (Representing the Applicant)	100 West Oak	Denton	S19-0015e	In support	Telephone	Provided architectural detail on the proposed development.