



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

City Council

Tuesday, June 30, 2020

1:00 PM

Council Work Session Room

SPECIAL CALLED MEETING

WORK SESSION BEGINS AT 1:00 P.M. IN THE WORK SESSION ROOM

CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

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 work session and special called meeting via video/teleconference.

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Due to COVID-19 precautions, members of the public will not be able to attend the June 30, 2020 City Council meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On June 26, the agenda was posted online at www.cityofdenton.com/publicmeetings. Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.
- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, June 30, 2020, at 1:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

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

3. Work Session Reports

- A. [ID 20-1258](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.
Attachments: [Exhibit 1 - COVID Presentation 06 30 20](#)
- B. [ID 20-888](#) Receive a report, hold a discussion, and give staff direction regarding the proposed prioritization and implementation of the City's Capital Improvement Projects.
Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation](#)
- C. [ID 20-806](#) Receive a report, hold a discussion, and give direction regarding the FY 2019-20 Budget and preliminary FY 2020-21 Budget and Capital Improvement Plan.
Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Presentation - 06-30-2020](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

1. Closed Meeting:

- A. [ID 20-1252](#) Deliberations regarding Personnel Matters - Under Texas Government Code, Section 551.074.

Discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a City Auditor.

- B. [ID 20-1254](#) Deliberations regarding Personnel Matters - Under Texas Government Code, Section 551.074.

Discuss and deliberate regarding the evaluation of candidates and the appointment/employment of a Municipal Judge.

- C. [ID 20-1234](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of real property interests located at 909 North Loop 288, in the City of Denton, Denton County, Texas, where the deliberation of same in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. Consultation with the City's attorneys regarding legal issues associated with the potential acquisition of the real property interests described above 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, or would jeopardize the City's legal position in negotiations or potential litigation.

- D. [ID 20-1256](#) Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys on the status, strategy, funding, and potential resolution of litigation in Cause No. PR-2018-01099, styled "City of Denton v. Robert P. Donnelly" pending in the Probate Court, Denton 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.

Any final action, decision, or vote on a matter deliberated in a Closed Meeting will only be taken in an Open Meeting that is held in compliance with Texas Government Code, Chapter 551, except to the extent such final decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Special Called Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items:

2. CONSENT AGENDA

Each of these items is recommended by Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these items prior to consideration.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – B). This listing is provided on the Consent Agenda to allow Council Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, the Consent Agenda Items will be approved with one motion. If items are pulled for separate discussion, they may be considered as the first items following approval of the Consent Agenda.

- A. [ID 20-1216](#) Consider approval of the minutes of June 9, 2020.

Attachments: [Exhibit 1 - June 9, 2020 Minutes](#)

- B. [ID 20-1239](#) Consider adoption of an ordinance of the City of Denton granting Jessica Luther Rummel a noise exception pursuant to Section 17-20 of the City of Denton Code of Ordinances for a movie screening, which will be held on Sunday, July 5, 2020, from 8:00 p.m. to 11:00 p.m., at Fred Moore Park, Texas; granting a variance in the hours of operation on said date from 8:00 p.m. to 11:00 p.m., with sound not to exceed 65 decibels; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
[Exhibit 2 Ordinance](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [ID 20-1103](#) Consider adoption of an ordinance of the City of Denton approving and establishing a six month Pilot Parklet and Streatery License Program (the "Pilot Program") for certain areas of the city; establishing the rules and regulations for the Pilot Programs and the provisions for enforcement thereof, including establishing criteria for permitted locations, general

physical requirements, fabrication, construction and installation standards; establishing a fee schedule for the Pilot Program; delegating authority for execution of the Parklet/Streatery Revocable License to the City Manager; providing for penalties; providing a severability clause; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Draft Ordinance](#)
[Exhibit 3 - Ordinance Exhibit A - Parklet and Streatery Manual](#)
[Exhibit 4 - Ordinance Exhibit B - Application](#)
[Exhibit 5 - Ordinance Exhibit C- Revocable License Agreement](#)
[Exhibit 6 - Presentation](#)

- B. [ID 20-1235](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a Fourth Amendment to the Contract for Sale, between the City, as Buyer, and Saratan Corporation I, Inc., a Texas Corporation, as Seller, regarding the purchase of 909 N. Loop 288, Denton, Denton County, Texas, pursuant to the terms thereof; Authorizing the additional expenditure of funds up to \$165,000.00 in asbestos remediation expenses related to the property being purchased; and, providing an effective date.

Attachments: [Exhibit 1 - AIS for 4th Amendment for Purchase Of 909 N Loop](#)
[Exhibit 2 - Ordinance](#)
[Exhibit 3 - Inspection Report](#)

- C. [ID 20-1236](#) Consider adoption of an ordinance of the City of Denton terminating the Contract for Sale, including subsequent amendments, between the City, as Buyer, and Saratan Corporation I, Inc., a Texas corporation, as Seller, regarding the purchase of 909 N. Loop 288, Denton, Denton County, Texas, pursuant to the terms thereof; and providing an effective date.

Attachments: [Exhibit 1- AIS for Termination of Purchase Contract](#)
[Exhibit 2 - Proposed Ordinance](#)

- D. [ID 20-1251](#) Consider adoption of an ordinance of the City of Denton appointing John Cashmon as the City Auditor for a two-year term, beginning on the 13th day of July 2020 and extending through the 12th day of July 2022; authorizing the Mayor to execute an employment agreement for term of office; and providing an effective date.

Attachments: [Agenda Information Sheet for City Auditor John Cashmon 6.30.20 REVISED](#)
[Ordinance City Auditor - John Cashmon Appointment 6.25.20 REVISED](#)
[City Auditor - John Cashmon Employment Contract 6.23.20](#)

- E. [ID 20-1253](#) Consider adoption of an ordinance of the City of Denton appointing Tyler Atkinson as Presiding Judge for the City of Denton Municipal Court of Record; establishing two-year terms of office for the Presiding Judge commencing on the 13th day of July 2020 to fill the unexpired remainder of the term vacated by the preceding Presiding Judge, and extending through the 1st day of January 2022; authorizing the Mayor to execute an employment agreement for term of office; and declaring an effective date.

Attachments: [Agenda Information Sheet for Municipal Judge - Tyler Atkinson 6.30.20 REVISE](#)
[Ordinance - Municipal Judge -Tyler Atkinson Appointment 6.25.20.pdf](#)
[Exhibit 2 - Municipal Judge - Tyler Atkinson Employment Agreement Draft 2](#)

4. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

B. Possible Continuation of Closed Meeting topics, above posted.

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the 26th day of June, 2020 at 6:52 p.m.

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.