

CITY OF DENTON CITY COUNCIL MINUTES
July 21, 2020

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, July 21, 2020, at 1:05 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, City Attorney Aaron Leal, and First Assistant City Attorney Larry Collister

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer participated in the 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. 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.

WORK SESSION

1. Citizen Comments on Consent Agenda Items

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.

- Item 4.A (ID 20-971) – 1 in Opposition
- Item 4.B (ID 20-984) – 1 in Opposition
- Item 4.P (ID 20-1231) – 1 in Support

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

- Clarification was requested on the following Consent items:
 - Mayor Watts: Item 4.G (ID 20-1159)
 - Council Member Briggs: Items 4.E (ID 20-1238), 4.G (ID 20-1159), 4.M (ID 20-1228), 4.N (ID 20-1230), 4.O (ID 20-11227), and 4.Z (ID 20-1387)
 - Council Member Davis: Item 4.L (ID 20-1226)
 - Council Member Armintor: Items 4.K (ID 20-828) and 4.Z (ID 20-1387)

- The following items were pulled for Individual Consideration:
 - Council Member Davis: Items 4.A (ID 20-971) and 4.B (ID 20-984)
 - Council Member Meltzer: Item 4.E (ID 20-1238)
 - Council Member Armintor: Items 4.E (ID 20-1238), 4.G (ID 20-1159), 4.H (ID 20-1245), and 4.Q (ID 20-1232)

3. Work Session Reports

- A. ID 20-966 Receive a report, hold a discussion, and give staff direction regarding an update on the Council-directed milestones at the Green Tree Estates subdivision.

The item was presented and discussion followed.

Following discussion, City Council consensus was to extend the deadline by which to connect to the City lines to August 31, 2020. Staff to return with an additional presentation on July 28.

The Work Session was recessed for a short break at 2:01 p.m. and reconvened at 2:12 p.m.

- B. ID 20-1046 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. Dr. Matt Richardson, Denton County Public Health Director, also presented material on the item.

The Work Session was recessed for a short break at 3:59 p.m. and reconvened at 4:04 p.m.

Following discussion, there was no direction provided as the item was for presentation purposes only. Staff to continue reporting on the issue with future items for consideration as needed.

- C. ID 20-1215 Receive a report, hold a discussion, and give staff direction regarding an internal audit of COVID-19 Response: Disaster Reimbursements.

The item was presented and discussion followed.

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

- D. ID 20-1221 Receive a report, hold a discussion on Police Department Information Session.

The item was presented and discussion followed.

The Work Session was recessed for a short break at 5:20 p.m. and reconvened at 5:28 p.m.

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

- E. ID 20-847 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

1. A work session discussing the formation of "a community oversight board tasked with publicly reviewing and responding in a timely fashion to all complaints filed against Denton Police Department (DPD) by members of the public, all DPD uses of force (even when a complaint is not filed), and all DPD matters of public interest as determined by the board".

The item was presented and discussion followed.

Following discussion, results were as follows:

- Item 20-847-1. 1. A work session discussing the formation of "a community oversight board tasked with publicly reviewing and responding in a timely fashion to all complaints filed against Denton Police Department (DPD) by members of the public, all DPD uses of force (even when a complaint is not filed), and all DPD matters of public interest as determined by the board".
 - No Consensus for Work Session

The Work Session ended at 6:23 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 6:23 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

- A. ID 20-1222 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

- B. ID 20-1388 Deliberations regarding Personnel Matters-Under Government Code Section 551.074. Discuss and deliberate the appointment/employment of a City Auditor.

DELIBERATED

The item related, in part, to Individual Consideration Items 5.B (ID 20-1389) to be considered at the Regular Meeting being held later in the evening.

The Closed Meeting started at 6:32 p.m. and ended at 7:39 p.m. No votes or actions were taken during the Closed Meeting.

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, July 21, 2020, at 7:49 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 participated in the 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. 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. PLEDGE OF ALLEGIANCE

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

2. PROCLAMATIONS/PRESENTATIONS

None.

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

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

B. Reports from members of the public

1) Receive Scheduled Citizen Reports from Members of the Public

- a. ID 20-1237 Ann Chastain regarding the inability to address the City Council without going through several steps in getting scheduled as well as Council Members speaking with individuals at the square during the recent protest but not being available to meet in person. - CANCELLED

2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted in Exhibit A.

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-Z. During the Work Session held earlier in the day, the following items were pulled for Individual Consideration: Items 4.A (ID 20-971) and 4.B (ID 20-984) by Council Member Davis; Item 4.E (ID 20-1238) by Council Members Armintor and Meltzer; and Items 4.G (ID 20-1159), 4.H (ID 20-1245), and 4.Q (ID 20-1232) by Council Member Armintor.

Council Member Briggs moved to adopt the Consent Agenda, now consisting of Items 4.C, 4.D, 4.F, 4.I-P, and 4.R-Z. 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 20-1383 Consider approval of the minutes of June 16, June 23, June 26, and June 30, 2020.

- D. ID 20-1214 Consider adoption of an ordinance amending Chapter 29 of the Code of the City of Denton, Texas, to provide for the amendment of section 106.2.4 of the International Fire Code, 2012 Edition, requiring fire systems contractors to use an internet-based system to submit annual fire protection systems inspection, testing, and maintenance reports; providing for a penalty in the amount of \$2,000 for violations thereof; providing for severability; repealing all ordinances in conflict therewith; and providing for an effective date.

ASSIGNED ORDINANCE NO. 20-1214

- F. ID 20-1043 Consider adoption of an ordinance of the City of Denton approving a Consent to Collateral Assignment of an Airport Lease between James W. Huff and Nancy Huff, Assignors, covering property at 4710 Lockheed Lane, and HVOS Financial, LLC, and providing an effective date. Council Airport Committee recommends approval (3-0).

ASSIGNED ORDINANCE NO. 20-1043

- I. ID 20-1265 Consider adoption of an ordinance by the City of Denton authorizing the City Manager to sign and submit to the Department of Housing and Urban Development a 2020-2022 Consolidated Plan for Housing and Community Development and 2020 Action Plan with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended, authorizing the Community Services Manager and Community Development Coordinator to sign release of liens and subordination agreements upon certain conditions; and providing for an effective date.

ASSIGNED ORDINANCE NO. 20-1265

- J. ID 20-1247 Consider approval of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with McMahon Contracting, L.P., for the construction of the Hickory Creek Road Phase 1 (East) project; providing for the expenditure of funds therefor; and providing an effective date (IFB 7206 - awarded to McMahon Contracting, L.P. in the not-to-exceed amount of \$1,515,949.07).

ASSIGNED ORDINANCE NO. 20-1247

- K. ID 20-828 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 LC Personnel, Inc. dba Labor Finders, for Temporary Labor Services for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7308 - awarded to LC Personnel, Inc. dba. Labor Finders, in the three (3) year not-to-exceed amount of \$525,000).

ASSIGNED ORDINANCE NO. 20-828

- L. ID 20-1226 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 Prime Controls, LP, for the Think and DO Conversion project at the Ray Roberts Water Treatment Plant; providing for the expenditure of funds therefor; and providing an effective date (RFP 7369 - awarded to Prime Controls, LP, in the not-to-exceed amount of \$135,000). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-1226

- M. ID 20-1228 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving a pre-qualified list of state certified real estate appraisers to provide real property appraisal services for Real Estate for various capital improvement projects within the City of Denton; and providing an effective date (RFQ 7280 - for a three (3) year term).

ASSIGNED ORDINANCE NO. 20-1228

- N. ID 20-1230 Consider approval of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with C J Hensch & Associates, Inc., as the primary contractor, and GRAM Traffic North Texas, Inc., as the secondary contractor for traffic counting and data collection services for the City of Denton;

providing for the expenditure of funds therefor; and providing an effective date (IFB 7322 - awarded to C J Hensch & Associates, Inc. - primary, and GRAM Traffic North Texas, Inc. - secondary, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$250,000).

ASSIGNED ORDINANCE NO. 20-1230

- O. ID 20-1227 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 Denton County Termite, Inc., for pest control services for the exterior and interior of various City buildings and locations; providing for the expenditure of funds therefor; and providing an effective date (RFP 7231 - awarded to Denton County Termite, 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 \$190,000).

ASSIGNED ORDINANCE NO. 20-1227

- P. ID 20-1231 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 Flycast Partners, Inc., for the renewal of Cherwell Software licenses; providing for the expenditure of funds therefor; and providing an effective date (IFB 7360 - awarded to Flycast Partners, Inc., in the three (3) year not-to-exceed amount of \$231,712.68).

ASSIGNED ORDINANCE NO. 20-1231

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.

- Online: 1 in Support
- Call-Ins: None

- R. ID 20-1270 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7310 for warehouse services for the Distribution Center; and providing an effective date (RFP 7310).

ASSIGNED ORDINANCE NO. 20-1270

- S. ID 20-1277 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive bids under IFB 7368 for irrigation supplies for the Parks Department; and providing an effective date (IFB 7368).

ASSIGNED ORDINANCE NO. 20-1277

- T. ID 20-1278 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 Brycer, LLC, for the inspection, testing, and maintenance report system, The Compliance Engine, for the Denton Fire Department, through the Public Procurement Authority Contract Number 1406; providing for the expenditure of funds therefor; and providing an effective date (RFP 7372 - awarded to Brycer, LLC, for a three (3) year term, with the option for one (1) additional two (2) year extension).

ASSIGNED ORDINANCE NO. 20-1278

- U. ID 20-1302 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 Collette Travel Services, Inc., for professional group travel booking of recreational extended trips offered through Parks and Recreation; providing for the expenditure of funds therefor; and providing an effective date (RFP 7277 - awarded to Collette Travel 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 \$800,000).

ASSIGNED ORDINANCE NO. 20-1302

- V. ID 20-1303 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 vendors for the rental of heavy construction equipment for various City Of Denton Departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7295 - awarded to Kirby-Smith Machinery, Inc., Bane Machinery, Inc., United Rentals (North America), Inc., Romco Equipment Co., LLC, RDO Equipment Co., Sunbelt Rentals, Inc., Herc Rentals, Inc., Associated Supply Company, Inc., dba Asco Equipment, Inc, Closner Equipment Co., Inc., Holt Texas, Ltd., and DCMM Rental One, Ltd. dba Rental One Equipment, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$1,500,000). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 20-1303

- W. ID 20-1318 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 Dannenbaum Engineering Company - Dallas, LLC for Professional Engineering Services for the 2018 Denton Sidewalks Project; amending the contract approved by City Council on June 5, 2018, in the not-to-exceed amount of \$183,839.97; first amendment approved by the City Council on September 10, 2019, in the not to exceed amount of \$135,715.59; providing for the expenditure of funds therefore; and providing an effective date (RFQ 6590-007 - providing an additional expenditure amount not-to-exceed \$112,879.60, for a total contract amount not-to-exceed \$432,435.16).

ASSIGNED ORDINANCE NO. 20-1318

- Y. ID 20-1385 Consider adoption of an ordinance of the City of Denton, in compliance with Governor Abbott's executive orders regarding outdoor gatherings, authorizing the 2020 Back-to-School Drive Thru Supply Distribution Event organized by the United Way of Denton County and other community partners at First Denton, 1100 Malone Street, to provide Denton Independent School District counselors with school supplies to provide to students in need; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1385

- Z. ID 20-1387 Consider adoption of an ordinance of the City of Denton concurring with the City Manager's reorganization of the City's departments and divisions; authorizing the expenditure of funds in connection with the reorganization; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1387

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- A. ID 20-971 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager or his designee to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Ambulance Services; and declaring an effective date.

ASSIGNED ORDINANCE NO. 20-971

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.

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.

- Online: 0 in Support and 1 in Opposition
- Call-Ins: None

The item was not presented or discussed.

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, Ryan, Armintor, and Meltzer

NAYS (0): None

ABSTAIN (1): Council Member Davis

- B. ID 20-984 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager or his designee to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Fire Protection Services; and declaring an effective date.

ASSIGNED ORDINANCE NO. 20-984

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.

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.

- Online: 0 in Support and 1 in Opposition
- Call-Ins: None

The item was not presented or discussed.

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

- E. ID 20-1238 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement with, and expend funds to, the University of North Texas as a contractual consultant in the amount of \$40,840.00 under the National Sexual Assault Kit Initiative (SAKI) for Small Agencies Grant (Grant No. 2019-AK-BX-0026) from the U.S. Department of Justice, Office of Justice Programs through the Bureau of Justice Assistance for the period October 1, 2019 through September 30, 2022; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1238

Pulled for Individual Consideration by Council Members Armintor and Meltzer.

Council Members Armintor and Meltzer had a conflict of interest on the item and were removed from the video conference for this item, thereby not participating on consideration of the item.

There were no online registrations or call-ins on the item.

The item was not presented or discussed.

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

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, and Ryan

NAYS (0): None

ABSTAIN (2): Council Members Armintor and Meltzer

- G. ID 20-1159 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 approval documents under the Joint Operating Agreement of the Texas Municipal Power Agency ("TMPA") among and between the Texas Municipal Power Agency, City of Bryan, Texas, Denton, Texas, the City of Garland, Texas and the City of Greenville, Texas, regarding the TMPA budget for the fiscal year ~~2020~~ 2021; providing for the expenditure of funds therefore; and providing an effective date.

ASSIGNED ORDINANCE NO. 20-1159

Pulled for Individual Consideration by Council Member Armintor.

During the Work Session held earlier in the day, Assistant City Attorney Larry Collister reported the item should read for the "fiscal year 2021" but due to technology issues with the agenda program read "fiscal year 2020" and that the item could be adopted as the ordinance presented correctly reflected the 2021 fiscal year.

There were no online registrations. Citizen comments received are noted in Exhibit A.

The item was not presented but discussion followed.

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

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

NAYS (0): None

- H. ID 20-1245 Consider adoption of an ordinance authorizing the City Manager, or his designee, to execute Amendment No. 2 to the Transmission Operator Maintenance and Construction Services Agreement between the City of Denton ("City") and the Texas Municipal Power Agency ("TMPA") that extends the term of an existing agreement to September 1, 2022; authorizing the expenditure of funds; and, providing an effective date.

ASSIGNED ORDINANCE NO. 20-1245

Pulled for Individual Consideration by Council Member Armintor.

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

- 1 Online: 0 in Support and 1 in Opposition
- Call-ins: None

The item was not presented but discussion followed.

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, Armintor, Meltzer, and Ryan

NAYS (0): None

- Q. ID 20-1232 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 WILPWR Rides, LLC, dba American Eagle Harley-Davidson, for the acquisition of six (6) Harley-Davidson Police Packaged Motorcycles, authorized repair, and maintenance services as needed for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 7371 - awarded to WILPWR Rides, LLC, dba American Eagle Harley-Davidson, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$575,000).

ASSIGNED ORDINANCE NO. 20-1232

Pulled for Individual Consideration by Council Member Armintor.

There were no online registrations or call-ins on the item.

The item was not presented but discussion followed.

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

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

NAYS (1): Council Member Armintor

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 20-1301 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 Rizikon, Inc., for municipal safety and training services; providing for the expenditure of funds therefor; and providing an effective date (RFP 7353 - awarded to Rizikon, Inc., in the three (3) year not-to-exceed amount of \$2,155,554.27).

ASSIGNED ORDINANCE NO. 20-1301

The item was presented and discussion followed.

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 Briggs. Motion carried.

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

NAYS (0): None

- B. ID 20-1389 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 7th day of September 2020, and extending through the 6th day of September 2022; authorizing the Mayor to execute an employment agreement for term of office; and providing an effective date.

DENIED

The item was discussed, in part, under Item 1.B (ID 20-1388) during the Closed Meeting held earlier in the day.

The item was not presented and no discussion followed.

There were no online registrations or call-ins on the item.

Mayor Pro Tem Hudspeth moved to deny the item. Motion seconded by Council Member Meltzer. Motion carried on denial.

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

NAYS (0): None

- C. ID 20-1246 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 Stripe-A-Zone, Inc., for pavement marking services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7303 - awarded to Stripe-A-Zone, Inc. in the three (3) year not-to-exceed amount of \$5,000,000).

ASSIGNED ORDINANCE NO. 20-1246

The item was presented and discussion followed.

There were no online registrations or call-ins on the item.

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

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

NAYS (0): None

- D. ID 20-1233 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 SHI Government Solutions, Inc., through the Buy Board Cooperative Purchasing Network Contract # 579-19, for the purchase of land management software for the Development Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 7399 - awarded to SHI Government Solutions, Inc., in the five (5) year not-to-exceed amount of \$523,100).

ASSIGNED ORDINANCE NO. 20-1233

The item was presented and discussion followed.

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

NAYS (1): Council Member Armintor

- E. ID 20-1337 Consider approval of a resolution for the appointment of one member to the Board of Managers of the Denco Area 9-1-1 District; and declaring an effective date.

ASSIGNED RESOLUTION NO. 20-1337

The item was presented and no discussion followed.

There were no online registrations or call-ins on the item.

Council Member Davis moved to adopt the item casing the City's allotted votes for Jim Carter as a member of the Board of Managers for the Denco Area 9-1-1 Emergency Communication District. 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

- F. ID 20-1367 Consider appointing a nominating committee to recommend appointees to serve on the Economic Development Partnership Board.

The item was presented and no discussion followed.

Council Member Armintor nominated Council Member Briggs who did not accept the nomination.

Mayor Watts nominated Council Member Meltzer who accepted the nomination.

Council Member Davis nominated Mayor Watts who accepted the nomination.

There were no online registrations or call-ins on the item.

Following nominations, Council Member Briggs moved to adopt the item appointing Mayor Watts, Council Member Meltzer, and Marty Rivers (Member of the Denton Chamber of Commerce) as the Nominating Committee. 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 Regular Meeting was recessed for a short break at 9:11 p.m. and reconvened at 9:20 p.m.

- G. ID 20-686 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Community Development Advisory Committee, Historic Landmark Commission, and Human Services Advisory Committee.

The item was not presented and no discussion followed.

There were no online registrations or call-ins on the item.

Council Member Davis moved to appoint the following as noted below:

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	PRESENT TERM	MEMBER LAST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Community Development Advisory Committee	3	Davis	Doray	N/A	Hill	UNEXPIRED September 1, 2018 through August 31, 2020	New
Historic Landmark Commission	2	Briggs	Cassandra	N/A	Berry	UNEXPIRED September 1, 2018 through August 31, 2020	New [Qualif.: 6/Other]
Human Services Advisory Committee	6	Meltzer	Mark	N/A	Courts	UNEXPIRED September 1, 2019 through August 31, 2021	New
Human Services Advisory Committee	O-ALL-4	Armintor	Lesly	N/A	Gutierrez	UNEXPIRED September 1, 2019 through August 31, 2021	New

Motion seconded by Council Member Meltzer. Motion carried.

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

NAYS (0): None

NOTE: The following public hearing was moved up on the agenda and to comply with State law requirements. Items for Individual Consideration would follow, after which the remaining public hearings were held.

6. PUBLIC HEARINGS

- B. A20-0002a Hold a public hearing and consider a petition for voluntary annexation of approximately 140.607 acres of land, generally located on both sides of Vintage Boulevard and west of Fort Worth Drive by the City of Denton, Denton County, Texas. (A20-0002, Burch Tract, Ron Mengueta)

NOTE: The public hearing was held following Individual Consideration Item 6.G (ID 20-686) as the items needed to be considered prior to Items for Individual Consideration.

The item was briefly presented and no discussion followed.

The public hearing was opened and citizen comments received are noted in Exhibit A.

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

There was no action taken as the item was only a public hearing.

5. ITEMS FOR INDIVIDUAL CONSIDERATION - CONTINUED

- H. A20-0002 Consider adoption of an ordinance of the City of Denton, Texas regarding a Municipal Services Agreement, pursuant to Tex. Loc. Gov. Code Sec. 43.0672, between the City of Denton and Burch Family Farm, Ltd. for the provision of City services to approximately 140.607 acres of land generally located on both sides of Vintage Boulevard and west of Fort Worth Drive; approving a schedule of annexation; authorizing the City Manager to execute the agreement; and providing an effective date. (A20-0002, Burch Tract, Ron Menguita)

ASSIGNED ORDINANCE NO. A20-0002

The item was presented and discussion followed.

There were no online registrations or call-ins on the item. Citizen comments received are noted in Exhibit A.

Mayor Pro Tem Hudspeth moved to adopt the item as presented, with motion seconded by Council Member Ryan. However, while votes were being cast, the need arose to allow the applicant to respond to questions from council members. City Attorney Leal ruled the vote should cease, after which the motion/second/vote could be taken.

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

- I. A20-0002b Conduct the first two readings of an ordinance of the City of Denton, Texas annexing approximately 140.607 acres of land generally located on both sides of Vintage Boulevard and west of Fort Worth Drive, to the City of Denton, Denton County, Texas; providing for a correction to the city map to include the annexed land; and providing for a savings clause and an effective date. (A20-0002c, Burch Tract, Ron Menguita)

NOTE: There was no ordinance number assigned as this was the first of two required readings.

The item was briefly presented and no discussion followed.

The following was read into the record for the first reading:

An ordinance of the City of Denton, Texas annexing approximately 140.607 acres of land generally located on both sides of Vintage Boulevard and west of Fort Worth Drive, to the City of Denton, Denton County, Texas; providing for a correction to the city map to include the annexed land; and providing for a savings clause and an effective date.

There were no online registrations or call-ins on the item.

There was no action taken as the item was presented for the purpose of conducting the first reading.

6. PUBLIC HEARINGS - CONTINUED

- A. ZCI20-0001a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a request for a change in the zoning district and use classification from Suburban Corridor (SC) to a Public Facilities (PF) Zoning District, on approximately 5.106 acres of land, generally located west on Loop 288, approximately 900 feet south of Audra Lane in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2000.00 for violations thereof; providing for severability; and establishing an effective date. (ZCI20-0001, Loop 288 Property, Ron Menguita) STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED TO A DATE UNCERTAIN.

The item had been postponed as noted above.

- B. A20-0002a Hold a public hearing and consider a petition for voluntary annexation of approximately 140.607 acres of land, generally located on both sides of Vintage Boulevard and west of Fort Worth Drive by the City of Denton, Denton County, Texas. (A20-0002, Burch Tract, Ron Menguita)

This public hearing was held earlier in the meeting. See Page 16 for details.

- C. PD20-0001f Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding an initial zoning of Planned Development (PD) District on approximately 128.94 acres and a zoning change from Residential 6 (R-6) District to Planned Development (PD) District on approximately 14.19 acres, for a total of approximately 143.14 acres of land generally located south of Allred Road and west of South Bonnie Brae Street and Fort Worth Drive, 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. (PD20-0001f, Sagebrook, Hayley Zagurski).

ASSIGNED ORDINANCE NO. PD20-0001f

The item was presented and discussion followed.

There were no online registrations or call-ins on the item.

The public hearing was opened; and with no callers on queue, the public hearing was closed.

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

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, and Ryan

NAYS (2): Council Members Armintor and Meltzer

- D. Z20-0002d Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from light industrial (LI) and General Office (GO) to Mixed-Use Regional (MR) on approximately 98 acres, including one acre generally located at the northwest intersection of South Loop 288 and Shady Oaks Drive (Tract 1); 72.76 acres located at the southwest corner of South Loop 288 and Shady Oaks Drive (Tract 2), and 24.14 acres located on the south side of Shady Oaks Drive (Tract 3), located approximately 1900 feet west of South Loop 288, 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 voted (6-1) to approve the request. (Z20-0002d, Canopy Trails, Julie Wyatt)

ASSIGNED ORDINANCE NO. Z20-0002d

The item was presented and discussion followed.

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.

The Regular Meeting was recessed for a short break at 10:45 p.m. and reconvened at 10:58 p.m.

The public hearing was opened and 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.

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

- Online: 11 in Support and 1 in Opposition
- Call-Ins: None

Following discussion, Mayor Pro Tem Hudspeth moved to adopt the item with the overlay conditions shown on Slide 6 of the presentation with the street trees planted every 30 feet:

1. No more than 75% of the gross land area (98 acres) may be dedicated to multi-family as a single use (includes entire Development Impact Area).
2. Karina must be extended to the west to connect to Brinker as a 50-foot road with 2 lanes and parallel parking with reduced speeds to be pedestrian friendly.
3. Brinker must be constructed as a 65-foot road with 2 lanes and parallel parking with reduced speeds to be pedestrian friendly.
4. Street trees are required between the curb and sidewalk at a rate of one per 30 linear feet on average.
5. Legally parked parallel parking along Neighborhood streets may count toward minimum parking for the abutting lot.
6. Loading areas, even those located along the rear of a lot must be screened with one large canopy tree at mature growth, with a minimum 3.5" caliper, to grow at maturity planted every 40 linear feet on average and a minimum three-foot high continuous hedge of evergreen shrubs

Motion seconded by Council Member Ryan.

Council Member Davis moved a friendly amendment to include staff's overlay conditions 3 c and d on Page 5 of the presentation. changing "Spencer" to "Brinker":

1. Buildings shall maintain a façade rhythm of 20' to 30' or multiples thereof along all public streets by changing materials, color, or relief with columns, cornices, bases, fluted masonry, or by varying the setback of portions of the building façade.
2. Buildings along Karina, Brinker, and neighborhood streets shall maintain the alignment of horizontal elements along the block or lot.

Mayor Pro Tem Hudspeth did not accept the friendly amendment.

Council Member Davis moved a substitute motion to include staff's overlay conditions 3 c and d on Page 5 of the presentation. changing "Spencer" to "Brinker":

3. Buildings shall maintain a façade rhythm of 20' to 30' or multiples thereof along all public streets by changing materials, color, or relief with columns, cornices, bases, fluted masonry, or by varying the setback of portions of the building façade.
4. Buildings along Karina, Brinker, and neighborhood streets shall maintain the alignment of horizontal elements along the block or lot.

Motion seconded by Council Member Briggs.

Following discussion, Council Member Briggs withdrew her second. Motion then seconded by Mayor Watts. Motion failed.

AYES (2): Mayor Watts and Council Member Davis

NAYS (5): Mayor Pro Tem Hudspeth and Council Members Briggs, Ryan, Armintor, and Meltzer

Mayor Pro Tem Hudspeth's original motion to adopt the item with the following overlay conditions was republished:

1. No more than 75% of the gross land area (98 acres) may be dedicated to multi-family as a single use (includes entire Development Impact Area).
2. Karina must be extended to the west to connect to Brinker as a 50-foot road with 2 lanes and parallel parking with reduced speeds to be pedestrian friendly.
3. Brinker must be constructed as a 65-foot road with 2 lanes and parallel parking with reduced speeds to be pedestrian friendly.
4. Street trees are required between the curb and sidewalk at a rate of one per 30 linear feet on average.
5. Legally parked parallel parking along Neighborhood streets may count toward minimum parking for the abutting lot.
6. Loading areas, even those located along the rear of a lot must be screened with one large canopy tree at mature growth, with a minimum 3.5" caliper, to grow at maturity planted every 40 linear feet on average and a minimum three-foot high continuous hedge of evergreen shrubs

Motion seconded by Council Member Ryan.

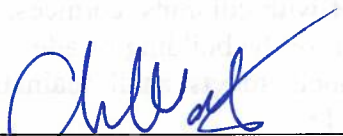
AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

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

7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 11:54 p.m.

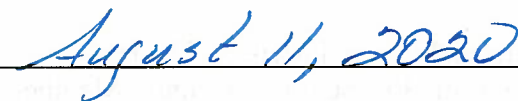


CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON:



July 21, 2020 City Council Special Meeting - EXHIBIT A

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Cheryl	Albert	3409 Kingfisher Lane	Denton	Z20-0002d	Support	Online	Sounds Great.
Cynthia	Berry	700 Duncan Street	Denton	Z20-0002d	Support	Online	Thank you for voting for this.
Regina	Evan	402 Audra Lane #D	Denton	Z20-0002d	Support	Online	No comments provided.
Andora	Finch	315 Bradley Street	Denton	Z20-0002d	Support	Online	Denton's growth is important here.
Christy	Galich	8105 Bishop Pine Road	Denton	Z20-984	Opposition	Online	Conflict of interest. A committee full of Bias people. We need sane, open hearted Texans who can see both sides of an issue. Who are all colors. Setting up the committee based on race is racist and NOT what America stands for. We are supposed to move forward with open minds and open hearts. Not with bias and racism. I and AGAINST this and so should anyone who is a true patriot.
Virginia	Gallian	1119 Ridgecrest Circle	Denton	20-1231	Support	Online	Back the Blue of the City of Denton. Officers have a huge, huge job monitoring, protecting our safety. Our officers are under-staffed, under-paid, under-appreciated, under-equipped! We must INCREASE THEIR RESOURCES. This is imperative. Our Police Chief, Frank Dixon, has done a fantastic job....support him and his officers.
Michael	Gilbert	300 Grassland Drive	Denton	Open Mic	Opposition	Telephone	In opposition to Work Session Item 3 E (ID 20-847); unqualified would have unchecked authority. Negative influence over police matters. The proposed board would not be able to accept boundaries.
Eletta	Hogg	711 Kerley	Denton	Z20-0002d	Support	Online	A good use of the land.
Jon	Hohman	Not Provided	Denton	Z20-0002d	Support	Telephone	Need to look at distributing shops along the area which will help tremendously. Need to define walkability.
Samantha	Kuykendall	4216 Autumn Path Road	Denton	20-971	Opposition	Online	I am against item 20-847, which was NOT included in your drop down menu. I selected 20-971, just so I could submit this card. I am voicing opposition for 20-847 not 20-971.
Jennifer	Lane	Not Provided	Denton	20-1159	Not Stated	Telephone	Inquired on what the intent of the plant is but unable to respond as that is not the purpose of the item. In support of the item.
Jennifer	Lane	Not Provided	Denton	A20-0002a	Not Stated	Telephone	Would've liked to have heard what the previous speaker had to say. City Council needs to be in charge of the Urban Development in Denton and not the developer. Has nothing against the request itself and doesn't know how long it will take to develop. Changes should be brought forward by planners that are paid by the City. Council needs to get Urban Planning in staff's hands.
Jennifer	Lane	Not Provided	Denton	Open Mic	Not Stated	Telephone	Regarding Work Session Item 3 B (ID 20-1046). Reiterated commentary provided by Dr. Matt Richardson. Council members meeting with people outdoors with masks would prevent spread, meeting indoors could increase the spread. Meeting indoors affects the school year. People must mask if City is to avoid a shutdown but the unreliability of people wearing them.
Danny	McCormack (Applicant)	720 N. Post Oak Road	Houston	Z20-0002d	Support	Telephone	Provided an overview of the land holdings held by McCormick Commercial and the development concept plan. Detailed the utility easements Mr. Rainer referenced, neighboring businesses adjacent to the proposed development, and a comparison of what the proposed zoning would provide. Tried to work with staff requirements and did to the extent possible.
Frank	Mims Jr.	705 Chambers	Denton	Z20-0002d	Support	Online	I am for growth in Denton.
Clifford	Nix Jr.	305 Coronado Drive # 102	Denton	Z20-0002d	Support	Online	Good for Denton
Kateri	Pitts	402 Audra Lane #D	Denton	Z20-0002d	Support	Online	No comments provided.
Eric	Pruett	211 Westwood Drive	Denton	Z20-0002d	Opposition	Online	I'm for this if Staff's recommendations for walkable placemaking overlays are included to encourage high value per acre development. A few pieces to add -Sidewalk width may need to be 8 feet throughout (currently 5 feet on non-collectors). -Streets should be 'active' (high door frequency). A 400 foot walk with nothing to interact with isn't very walkable. -Parking: Consider reducing/eliminating parking minimums like in MD -Encourage distributed ownership/small lots: more resilient/adaptable.
Eric	Pruitt	Not Provided	Denton	A20-0002a	Not Stated	Telephone	Reiterated areas of Long Range Plan. Plan 2030 Action 3.1.4 and Action 3.10.1, including Denton Development Code 2.4.5(E)(9). There are no fiscal strategy to evaluate zoning applications/requests. Provided options to address the needs. Need to consider the long-range effect of actions taken.
Rob	Rayner	607 S Locust Suite 101	Denton	Z20-0002d	Support	Online & Telephone	This is a well designed development. I understand it has met or exceeded staff's requirements for this zoning designation. Instead of developing further out around Denton, this project will be considered an infill with most of the utilities all ready in place. I encourage the council members to vote yes to request. Provided viewpoints on the design which he feels has issues with the 50-foot utility easement, water/sewer, that runs parallel with 288 and the 30-foot pressure fuel-line in the middle. Requested City council look at utility driven conditions that exist. Utility easements cannot be built on but can be parked on. Owner has designed the building so they can work around the easement themselves. Likes connectivity to Brinker being a slow down, deceleration once passing Spencer. Recommended voting in favor of the Owner's proposal.
Julia	Rios	7357 Desert Willow Drive	Denton	20-971	Support	Online	No comments provided.

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Randi	Rivers (Representing the Applicant)	111 Hillside Drive	Lewisville	A20-0002	Support	Telephone	Provided commentary on why seeking annexation and what that would accomplish. Verified the well had been abandoned (plugged/capped).
Randi	Rivers (Representing the Applicant)	111 Hillside Drive	Lewisville	PD20-0001f	Support	Telephone	Complimented Staff for the job on staff's presentation and going over what the efforts have been to date with the neighbor to the property. Working on this since December 2018. Aailed herself to answer questions from Council.
Mary	Rogers	1110 Morse Street	Denton	Z20-0002d	Support	Online	It is always good to see my city grow. I am almost 80 yrs. old born & raised here, I can remember this being a small country town.
B	Smith	1800 Redwood	Denton	Z20-0002d	Support	Online	Denton is on the rise! Keep up the good work.
Mat	Solomon	1404 Paco Trail	Denton	Open Mic	Not Stated	Telephone	People are moving from one home to another, folks could be moving to places that are potentially contaminated. Wanted to know if there is any interest in creating guidelines for sanitation of residences to ensure people moving from a contaminated location are not contaminating another. People could move from rooming with uncontaminated individuals to others that might be and vice versa. Need to work on preventing COVID. Funding needs to come from all agencies.

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