CITY OF DENTON CITY COUNCIL MINUTES
March 1, 2022

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, March 1, 2022, at 2:01 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Mack Reinwand.

The posted agenda noted the registration process for public participation. However, there was no online commentary or call ins on any items on the agenda.

WORK SESSION

1. **Citizen Comments on Consent Agenda Items**

   None

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

   - Clarification was requested on the following items:
     - Council Member Davis: Item 4.H (22-378)
     - Mayor Pro Tem Meltzer: Item 4.S (22-422)

   - The following item was pulled for Individual Consideration:
     - Council Member Maguire: Item 4.E (21-2798)

3. **Work Session Reports**

A. ID 22-501 Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response. *[Council Priority; Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

During discussion, City Council consensus was to recess the Work Session and convene the Closed Meeting to deliberate on Item 1.B (ID 22-497). Discussion to continue on this item following deliberation.

The work session was recessed at 2:20 p.m. to convene the closed meeting as noted below.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 2:20 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows.

B. ID 22-497 Consultation with Attorneys - Under Texas Government Code 551.071. Consultation, discussion, deliberation, and receipt of information from the City's attorneys involving legal issues relating to the disaster declaration and related order pertaining to the COVID-19 emergency, and to provide the City's attorneys with direction, where a public discussion of these legal matters would clearly 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.
DELIBERATED

The closed meeting started at 2:25 p.m. and ended at 2:38 p.m. No votes or actions were taken during the closed meeting.

WORK SESSION – CONTINUED

The work session reconvened at 2:41 p.m. to continue discussion on the following:

A. ID 22-501 Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response. *[Council Priority; Estimated Presentation/Discussion Time: 30 minutes]

Discussion continued.

Following discussion, City Council consensus was to rescind the Nineteenth Order of Council and Declaration of Local Disaster immediately and schedule a resolution for formal consideration at a future meeting addressing the protection of citizens with disabilities.

B. ID 21-2402 Receive a report, hold a discussion, and give staff direction regarding Audit Project 025 - Energy Portfolio Management: Transaction Administration. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

C. ID 22-120 Receive a report, hold a discussion, and give staff direction regarding the City of Denton Public Safety Drone Program. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

The work session was recessed for a short break at 3:24 p.m. and reconvened at 3:45 p.m.

D. ID 22-373 Receive a report, hold a discussion, and give staff direction regarding options related to the creation and setting of Metrics and Goals related to the development of a Comprehensive Solid Waste Management Strategy for the City of Denton. [Estimated Presentation/Discussion Time: 45 Minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

E. ID 21-2142 Receive a report, hold a discussion, and give staff direction regarding the assessment and use of parkland dedication and park development fees. [Estimated Presentation/Discussion Time: 1 hour]

The item was presented and discussion followed.

Following discussion, City Council consensus was for Staff to provide information within and Informal Staff Report (ISR) on affordable housing and costs. Additional need to deliberate on the issue to be determinate at a later date based on any input that may be received from review of the ISR.

The work session ended at 6:03 p.m.

CLOSED MEETING – CONTINUED (NOT HELD)

1. As noted above, the Closed Meeting to continue deliberations of the remaining agenda items was not held. Item 1.B (22-497) was deliberated earlier during discussion of Work Session Item 3.A (22-501) (see Page 2).

A. ID 22-311 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086. Receive a presentation from staff regarding public power competitive and financial matters about the delivery of power, wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio and to Audit Project 025 - Energy Management Office Administration; discuss, deliberate, and provide direction to staff regarding the same.
NOT DELIBERATED

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, March 1, 2022, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT IN PERSON: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Vicki Byrd, Brian Beck, Jesse Davis, Alison Maguire, and Deb Armintor

ABSENT: None

Also present were Interim City Manager Sara Hensley and City Attorney Mack Reinwand.

The posted agenda noted the registration process for public participation. However, there was no online commentary or call ins on any items on the agenda.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag and B. Texas Flag

2. PROCLAMATIONS/PRESENTATIONS

A. ID 22-308 Recognition: Mayor's Red Kettle Challenge
PRESENTED

B. ID 22-394 Proclamation: National Procurement Month
PRESENTED

3. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

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 22-442 Mr. Stephen Dillenburg follow up to comments made at previous meetings regarding general public welfare concerns.
PRESENTED

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-S. During the Work Session held earlier in the day, Item 4.E (21-2798) was pulled for Individual Consideration by Council Member Maguire.

Council Member Davis moved to adopt the Consent Agenda, now consisting of Items 4.A-D and F-S. Motion seconded by Council Member Beck. Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor
NAYS (0): None

A. ID 22-372 Consider approval of the minutes of February 1, 8, 14 (Joint with Planning and Zoning Commission), 15, 21, and 22, 2022.
APPROVED

B. ID 22-383 Consider nomination/appointment to the City's Boards, Commissions, and Committees: Historic Landmark Commission.
APPROVED

Appointments listed on Exhibit B.

C. ID 22-409 Consider adoption of an ordinance of the City of Denton, A Texas home-rule municipal corporation, authorizing the City Manager to execute an agreement with the Texas Historical Commission to participate in the Texas Main Street Program demonstrating the City of Denton's commitment to continue as a "Sustaining Level Official Main Street City" and authorizing payment of the annual fee in the amount of $2,600; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-409

D. ID 22-410 Consider adoption of an ordinance by the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an agreement with Texas Music Office within the Office of the Governor for maintenance of the Texas Music Industry Directory; providing an effective date.
ASSIGNED ORDINANCE NO. 22-410

F. ID 22-144 Consider approval of a resolution adopting the City of Denton Parks, Recreation and Trails System Master Plan; and declaring an effective date.
ASSIGNED RESOLUTION NO. 22-144

G. ID 22-377 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 Innovyze LLC, for software services for the Water Utilities Department, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over $50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 7879 - awarded to Innovyze LLC, 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 $150,000.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 22-377

H. ID 22-378 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with The Wilson Bohannan Company, for the purchase of custom stamped padlocks and matching keys for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 7893 - awarded to The Wilson Bohannan Company, 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 $500,000.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 22-378

I. ID 22-379 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 Duryea Moving & Storage, Inc., for packing and moving services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7864 - awarded to Duryea Moving & Storage, 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 $500,000.00).
ASSIGNED ORDINANCE NO. 22-379

J. ID 22-380 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., for roadway funding strategy services for the City of Denton as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7878 - Professional Services Agreement for roadway funding strategy services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of $550,900.00).

ASSIGNED ORDINANCE NO. 22-380

K. ID 22-381 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to approve the spend authority with Continental American Insurance Company (Aflac), for voluntary insurance products, to include accident, critical illness with cancer, and hospital indemnity coverage for the City of Denton employees; providing for the expenditure of funds therefor; and providing an effective date (File 7858 - awarded to Continental American Insurance Company, for a term ending on December 31, 2022, in the not-to-exceed amount of $273,906.00).

ASSIGNED ORDINANCE NO. 22-381

L. ID 22-382 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 Mac Haik Dodge Chrysler Jeep, which is an authorized distributor for Frazer LTD, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number AM10-20, for the purchase of one (1) 2022 Dodge Ram 5500 with 14 foot Frazer Medic body for the Fire Department; and providing an effective date (File 7934 - awarded to Mac Haik Dodge Chrysler Jeep, in the not-to-exceed amount of $256,179.00).

ASSIGNED ORDINANCE NO. 22-382

M. ID 22-387 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 East Texas Mack Sales, LLC dba B&C Body Company, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number TR11-18, for the purchase of two (2) 45 foot Aluminum Live Floor trailers for the Solid Waste Department; and providing an effective date (File 7883 - awarded to East Texas Mack Sales, LLC dba B&C Body Company, in the not-to-exceed amount of $241,670.00).

ASSIGNED ORDINANCE NO. 22-387

N. ID 22-388 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 4Imprint, Inc., through Choice Partners, a division of Harris County Department of Education (HCDE) Purchasing Network Contract Nos. 20/046SG-01 & 20/048SG-01-3561, for procurement

fulfillment of Awards, Apparel, Screen Printing & Embroidery, and Promotional and Commemorative Items related to products for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 7921 - awarded to 4Imprint, Inc., in the three (3) year not-to-exceed amount of $475,000.00).
ASSIGNED ORDINANCE NO. 22-388

O. ID 22-389 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with McCall, Parkhurst & Horton, LLP, for bond counsel services as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (PSA 7942 - Professional Services Agreement for bond counsel services awarded to McCall, Parkhurst & Horton, LLP, in the not-to-exceed amount of $1,250,000.00).
ASSIGNED ORDINANCE NO. 22-389

P. ID 22-384 Consider adoption of an ordinance of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager or designee to fulfill the responsibilities of the City as a Market Participant and those pursuant to ERCOT Protocols, including paying any amounts required by the Protocols and funded in the annual budget; and declaring an effective date. The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 22-384

Q. ID 22-227 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to $100,000,000 in principal amount of "City of Denton General Obligation Refunding Bonds"; authorizing the issuance of the Bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and procedures relating to said Bonds; enacting other provisions relating to the subject; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-227

R. ID 22-229 Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to $300,000,000 in principal amount of "City of Denton Utility System Revenue Refunding Bonds, Series 2022"; authorizing the issuance of the bonds; delegating the authority to certain city officials to execute certain documents related to the sale of the bonds; approving and authorizing instruments and procedures relating to said bonds; enacting other provisions relating to the subject; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-229

S. ID 22-422 Consider approval of a resolution of the City of Denton approving the Small Business Rent and Mortgage Relief grant program; and providing an effective date.
ASSIGNED RESOLUTION NO. 22-422

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

E. ID 21-2798 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Interlocal Agreement between Denton Independent School District and the City of Denton for participation in the LaGrone Academy Practicum of Law, Public Safety, Corrections, and Security Program for 2021-2022; 2022-2023; and 2023-2024 school terms; and providing an effective date.

ASSIGNED ORDINANCE NO. 21-2798

Pulled for Individual Consideration by Council Member Maguire.

There was no online commentary or call-ins on the item.

Council Members Maguire and Davis had a conflict of interest and left the Council Chambers.

The item was not presented and no discussion followed.

Council Member Beck moved to adopt the item as presented. Council Member Byrd seconded the motion. Motion carried.

AYES (4): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd and Beck.
NAYS (1): Council Member Armintor
ABSTAINED (2): Council Members Maguire and Davis

5. PUBLIC HEARINGS

A. ID 21-2656 Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an ordinance of the City of Denton, Texas, adopting the update to the City of Denton's Comprehensive Plan; and providing an effective date. Public Hearing rescheduled for March 22, 2022.

POSTPONED TO MARCH 22, 2022 WITH PUBLIC HEARING OPEN

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

Mayor Hudspeth announced the item would not be considered and postponed to March 22, 2022 with the public hearing open. There was no objection voiced by the City Council.

B. ID 22-098 Hold a public hearing and recommend City Council adoption of an Ordinance of the City of Denton, Texas, for the Denton 2022 Mobility Plan. Public Hearing rescheduled for March 22, 2022.

POSTPONED TO MARCH 22, 2022 WITH PUBLIC HEARING OPEN

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

Mayor Hudspeth announced the item would not be considered and postponed to March 22, 2022 with the public hearing open. There was no objection voiced by the City Council.

C. DCA22-0001b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, amending the Denton Development Code; specifically, to provide for pathways and trails in Section 7.4.7A, Permitted Uses and Activities in Riparian Buffer and Water-Related Habitat Environmentally Sensitive Areas (ESAs) and Section 7.4.8A, Permitted Uses and Activities in Cross Timbers Upland Habitat ESAs; providing for a penalty in the maximum amount of $2,000.00 for violations thereof; and providing a severability clause and an effective date. Public hearing rescheduled for March 22, 2022.
POSTPONED TO MARCH 22, 2022 WITH PUBLIC HEARING OPEN

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

Mayor Hudspeth announced the item would not be considered and postponed to March 22, 2022 with the public hearing open. There was no objection voiced by the City Council.

6. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 22-498 Consider adoption of an ordinance of the City of Denton appointing a City Manager; authorizing the Mayor to execute an employment agreement setting the compensation and terms for the City Manager; providing for the expenditure of funds; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-498

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

The item was not presented and discussion followed.

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

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor
NAYS (0): None

B. ID 21-2809 Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2021-2022 budget and Annual Program of Services of the City of Denton to allow for adjustments to the Capital Improvements Program of $4,464,900 for expenses related to purchasing land for the purpose of constructing a new Solid Waste transfer station; declaring a public purpose; providing a severability clause, an open meetings clause and an effective date.
ASSIGNED ORDINANCE NO. 21-2809

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

The item was presented and no discussion followed.

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

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor
NAYS (0): None

C. ID 22-129 Consider adoption of an ordinance of the City of Denton to declare the intent to reimburse capital program expenditures of Solid Waste ($4,464,900) with tax-preferred obligations (Certificates of Obligation and General Obligation Bonds) with an aggregate maximum principal amount not to exceed $4,464,900; and providing an effective date.
ASSIGNED ORDINANCE NO. 22-129

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

The item was presented and no discussion followed.

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

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor
NAYS (0): None

D. ID 22-500 Consider adoption of an ordinance of the City of Denton related to the COVID-19 Declaration of Disaster and Order of Council.
ASSIGNED ORDINANCE NO. 22-500

City Council was provided the revised Nineteenth Order of Council and Declaration of Local Disaster providing that both be rescinded based on consensus reached during discussion of the Work Session Item 1.A (22-501).

The item was briefly presented and discussion followed.

Following discussion, Mayor Pro Tem Meltzer moved to rescind the Nineteenth Order of Council and Declaration of Local Disaster immediately . Motion to rescind seconded by Council Member Armintor. Motion to rescind carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Byrd, Beck, Davis, Maguire, and Armintor
NAYS (0): None

7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 7:19 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

JESUS SALAZAR
DEPUTY CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: March 22, 2022

EXHIBIT B
March 1, 2022

Agenda Item 3.B (ID 22-383)

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Historic Landmark Commission	1	Byrd-1	Lance Cooper	UNEXPIRED September 1, 2021 through August 31, 2023	New Qualif. 6 - Other

March 1, 2022 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Eva	Grecco	802 W Oak Street	Denton	Open Mic	N/A	Phone	High gas bill higher than DME bill.

NOTE: Comments for those citizens addressing the City Council are an abbreviated summary. Information contained within this exhibit includes only commentary for Open Microphone, Consent, Individual Consideration and Public Hearing Items.