CITY OF DENTON CITY COUNCIL MINUTES
February 21, 2023

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, February 21, 2023, at 2:02 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Brandon Chase McGee, and Chris Watts

ABSENT: None

VACANT: District 4

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

The posted agenda noted the registration process for public participation at this meeting. However, there were no online registrations or call ins on any items on the agenda.

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

None

Council Member Watts arrived at 2:05 p.m.

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

- Clarification was requested on the following items:
  - Mayor Pro Tem Beck: Items 4.G (23-369) and 4.M (23-392)
  - Council Member Davis: Item 4.H (23-370)
  - Council Member Watts: Item 4.I (23-371)
- The following items were pulled for Individual Consideration:
  - None

3. **Work Session Reports**

A. ID 23-246 Receive a report, hold a discussion, and give staff direction regarding homelessness response solutions in the City of Denton. [Estimated Presentation/Discussion Time: 1:30 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes. Supplemental requests will be submitted in the upcoming budget process to increase staff capacity and strengthen programs.

B. ID 22-2595 Receive a report, hold a discussion, and give staff direction regarding the Transitional Housing Request For Proposal (RFP) submissions. [Council Priority - Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to not proceed with the RFP as recommended by Staff.

C. ID 22-1930 Receive a report, hold a discussion, and give staff direction regarding the Water, Wastewater Impact Fee Study. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

The work session was recessed for a short break at 4:12 p.m. and reconvened at 4:16 p.m.

Following discussion, City Council consensus was to look at qualification of individuals currently serving on the Zoning Board of Adjustment to determine if they could serve on the Capital Improvement Advisory Committee; and if not, proceed with leaving Planning and Zoning Commission appointees as the members.

D. ID 23-089 Receive a report, hold a discussion, and give staff direction regarding an update from the City Manager on the implementation of Proposition B, codified as Chapter 21, Article V - "Marijuana Enforcement" in the Code of Ordinances. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

The work session was recessed for a short break 4:41 p.m. and reconvened at 4:46 p.m.

Following discussion, there was no direction provided as no City Council consensus could be reached.

4. Recess of the Work Session

The work session was recessed for a Special Presentation at 5:36 p.m.

SPECIAL PRESENTATION

1. The City Council convened for the special presentation at 5:36 p.m.

A. ID 23-502 Presentation of City of Denton-themed Ice Cream Flavor
PRESENTED

The special presentation ended at 5:44 p.m.

WORK SESSION – CONTINUED

Following the completion of the Special Presentation, the City Council reconvened the Work Session at 5:46 p.m. in the Council Work Session Room to consider the following item:

E. ID 23-209 Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
1). Ordinance to add polling locations for the May 6, 2023, elections. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, results were as follows:

- ID 23-209 (1) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:
  - Consensus to schedule a March 7 work session to deliberate addition of other polling locations and consideration of an ordinance adding identified locations. March 7 meeting to start at 1:30 p.m. to allow sufficient time for discussion of the work session item.

The work session ended at 5:51 p.m.

REGULAR MEETING

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Regular Meeting on Tuesday, February 21, 2023, at 6:31 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Brian Beck and Council Members Vicki Byrd, Jesse Davis, Brandon Chase McGee, and Chris Watts

ABSENT: None

VACANT: District 4

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

The posted agenda noted the registration process for public participation at this meeting. However, there were no online registrations 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 23-427 Proclamation: National Engineer's Week
PRESENTED

B. ID 23-398 Proclamation: American Heart Month
PRESENTED

3. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

B. Reports from members of the public

1) Scheduled Citizen Reports from Members of the Public

a. ID 23-482 Mr. Nick Stevens, 417 Amarillo St., regarding City of Denton's Refusal to Implement Proposition B.
PRESENTED

b. D 23-483 Ms. Deb Armintor, 2003 Mistywood Lane, regarding Decriminalize Denton.
PRESENTED

2) Additional Citizen Reports (Open Microphone)

Citizen comments received are noted in Exhibit A.

Following Council Member Davis' inquiry of Mr. Gladden, Mayor Pro Tem Beck called a Point of Order in that commentary should be limited to a statement of factual information or a recitation of existing policy. Council Member Davis modified his question to a statement of policy. Therefore, there was no action required to the Point of Order.

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-N. During the Work Session held earlier in the day, no items were pulled for Individual Consideration.

Mayor Pro Tem Beck moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Davis. Motion carried.
AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts
NAYS (0): None
VACANT (1): District 4

A. ID 23-024 Consider approval of the minutes of the October 11, 2022 and February 7, 2023 meetings.
APPROVED

B. ID 23-054 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Committee on Persons with Disabilities.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

C. ID 22-1791 Consider adoption of an ordinance of the City of Denton, Texas, approving the Rental Repair Program; rescinding ordinance 2005-304 establishing the Rental Rehabilitation Program; establishing the guidelines for the program and the provisions for enforcement thereof; establishing an annual General Fund budget; and providing for an effective date.
ASSIGNED ORDINANCE NO. 22-1791

D. ID 22-1851 Consider adoption of an ordinance of the City of Denton abandoning, releasing, and vacating a 0.084 acre portion of the public utility easement granted to the City of Denton by Regal Properties, recorded in Volume 625 Page 378, Deed Records of Denton County, Texas; providing for the quitclaim thereof to Westdale Denton Phase 2, LP, a Texas Limited Partnership; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Denton; providing for severability and an effective date.
ASSIGNED ORDINANCE NO. 22-1851

E. ID 23-401 Consider approval of a resolution appointing Stephen D. Gay as the City's Representative to serve as a member of the Board of Directors of the Upper Trinity Regional Water District; and providing an effective date.
ASSIGNED RESOLUTION NO. 23-401

F. ID 23-368 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 Jasco Enterprises, Inc. dba Real Power Technologies, for specialized maintenance, repair, emergency inspections, testing, and troubleshooting for electric switchgear and power systems for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7969 - awarded to Jasco Enterprises, Inc. dba Real Power Technologies, 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 (5 - 0).
ASSIGNED ORDINANCE NO. 23-368

G. ID 23-369 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 Mayer Construction, LLC dba Mayer Materials, for the bagging of Dyno Dirt for the Beneficial Reuse Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8150 - awarded to Mayer Construction, LLC dba Mayer Materials, 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 $250,000.00). The Public Utilities Board recommends approval (5 - 0).
ASSIGNED ORDINANCE NO. 23-369

H. ID 23-370 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager, for the emergency purchase of transformers for Denton Municipal Electric; and providing an effective date (File 8169-1 - awarded to Solomon Corporation, in the not-to-exceed amount of $108,075.00). The Public Utilities Board recommends approval (5 - 0).
ASSIGNED ORDINANCE NO. 23-370

I. ID 23-371 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 HDR Architecture, Inc., for assistance in the creation of the Southeast Denton Area Plan for the Development Services Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8039 - Professional Services Agreement for professional services awarded to HDR Architecture, Inc., in the not-to-exceed amount of $240,000.00).
ASSIGNED ORDINANCE NO. 23-371

J. ID 23-373 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 GPI TX-DCIV, INC DBA Denton Chrysler Dodge Jeep Ram, for Ford and Dodge repairs for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (IFB-BV 8146 - awarded to GPI TX-DCIV, INC DBA Denton Chrysler Dodge Jeep Ram, 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 $1,400,000.00).
ASSIGNED ORDINANCE NO. 23-373

K. ID 23-374 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 ICOR Technology Inc. through the U.S. General Services Administration's (GSA) MAS schedule GS-07F-0430V, for the purchase of two (2) mini caliber robots for the Fire Department's Bomb EOD program; providing for the expenditure of funds therefor; and providing an effective date (File 8175 - awarded to ICOR Technology Inc., in a not-to-exceed amount of $140,668.85).
ASSIGNED ORDINANCE NO. 23-374

L. ID 23-379 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 Holt Texas, Ltd., through the Buy Board Cooperative Purchasing Network Contract # 685-22, for Caterpillar heavy equipment repair and maintenance services for various City Departments; providing for the expenditure of funds therefor; and providing an effective date (File 8128 - awarded to Holt Texas, Ltd., in the five (5) year not-to-exceed amount of $2,300,000.00).
ASSIGNED ORDINANCE NO. 23-379

M. ID 23-392 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Dell Marketing, L.P., amending the contract approved by the City Council on December 3, 2019, in the not-to-exceed amount of $2,500,000.00; said first amendment to continue purchasing desktop computers (PCs), notebook PCs, peripherals, audiovisual equipment, maintenance and services; providing for the expenditure of funds therefor; and providing an effective date (File 7076 - providing for an additional first amendment expenditure amount not-to-exceed $625,000.00, with the total contract amount not-to-exceed $3,125,000.00).
ASSIGNED ORDINANCE NO. 23-392

N. ID 23-409 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 Mobile Wireless, LLC, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4723, for the purchase of the annual maintenance and support of NetMotion software to provide virtual private network (VPN) for mobile data computers (MDC) for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8125 - awarded to Mobile Wireless, LLC, in the five (5) year not-to-exceed amount of $160,000.00).
ASSIGNED ORDINANCE NO. 23-409

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 23-372 Consider adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2022-2023 budget and annual program of services of the City of Denton to allow for adjustments to the General Fund of one million one hundred seven thousand five hundred fifty-five dollars ($1,107,555) for the purpose of adding two Senior Planners to the Planning department and seven positions to the Police department; declaring a public purpose; directing the City Secretary attach a copy to the 2022-2023 budget; requiring approval by at least five votes; and providing a severability clause, an open meetings clause, and an effective date.
ASSIGNED ORDINANCE NO. 23-372
There were no online registrations or call-ins on the item.

The item was presented and discussion followed.

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts
NAYS (0): None
VACANT (1): District 4

B. ID 23-438 Consider adoption of an ordinance of the City of Denton establishing classifications and positions in the Police Department; creating certain positions; repealing Ordinance No. 22-2062 relating to establishing the classifications and prescribing the number of positions in each classification for the Police Department; providing repealer, cumulative, and severability clauses; and declaring an effective date.
ASSIGNED ORDINANCE NO. 23-438

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

The item was not presented and no discussion followed.

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

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts
NAYS (0): None
VACANT (1): District 4

C. ID 23-389 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 Jagoe-Public Company, for the construction of the 2019 Street Bond Neighborhood 1A project for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8108 - awarded to Jagoe-Public Company, in the not-to-exceed amount of $3,778,325.25). The Public Utilities Board recommends approval (4 - 0).
ASSIGNED ORDINANCE NO. 23-389

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

The item was presented and discussion followed.

Following discussion, Council Member Watts moved to adopt the item as presented. Motion seconded by Council Member Davis. Motion carried.
AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Davis, McGee, and Watts
NAYS (0): None
VACANT (1): District 4

6. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 7:48 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: March 7, 2023

February 21, 2023 City Council Regular Meeting - EXHIBIT A

Speaker Commentaries/Registrations
Online, Email, Phone

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Kristine	Bray	1204 Cordell St.	Denton	Open Mic	N/A	In-Person	Spoke to the precedence on sale and enforcement of marijuana in other states.
Richard	Gladden	1822 W. Oak St.	Denton	Open Mic	N/A	In-Person	Clarified he is not now, nor ever been a card carrying member of Ground Game Texas. Mayor and Council Member Davis have taken every opportunity to speak on the decriminalization issue. Addressed Texas Local Government Code, Section 370.003 (Municipal or County Policy Regarding Enforcement of Drug Laws).
Liam	Goume-Wakefield	Ponder Ave.	Denton	Open Mic	N/A	In-Person	Spoke to no UNT polling location as he has voted there for the past four years. Just learned about it today but in support of a UNT location. Great that there is a TWU location. Addressed decriminalization of marijuana and the enforcement prioritization of laws.
Eva	Grecco	802 W. Oak St., #5	Denton	Open Mic	N/A	In-Person	Thanked Mr. Nick Stevens and Ms. Deb Armintor for their presentations. Spoke to senior age groups signing the petition for Decriminalize Denton as they use marijuana because they cannot afford prescription medications. Times changing; 11 states yet to legalize it.
Donna	Smith	3924 Yellowstone	Denton	Open Mic	N/A	In-Person	Opposed to Proposition B or deprioritizing marijuana usage. Has heard that it is the will of the people; but what if people want something horrible. Saying that we always have to say it's the will of the people doesn't make sense. Expressed concerns on purchase of something from people that are making it illegally. Thanked everyone for looking into the safety of the community.

NOTES:

- Information contained within this exhibit includes only commentary for Open Microphone, Consent, Individual Consideration and Public Hearing Items.
- eComments are included in their entirety, as submitted.
- Comments for those citizens addressing the City Council are an abbreviated summary.
- Full agenda, meeting video, and system transcript are available by visiting the City of Denton Public Meetings Page at www.cityofdenton.com/242/Public-Meetings-Agendas, going to the Archived Meetings Section, and selecting the applicable meeting date.

EXHIBIT B
February 21, 2023

Agenda Item 4.B (ID 23-054)

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Committee on Persons with Disabilities	1	Byrd	Isaiah Heck	UNEXPIRED September 1, 2021 through August 31, 2023	New