CITY OF DENTON CITY COUNCIL MINUTES
February 20, 2024

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, February 20, 2024, at 2:00 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, Paul Meltzer, Brandon Chase McGee, and Joe Holland

ABSENT: Council Member Chris Watts

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

The posted agenda noted the registration process for in-person, call-in, and public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. In-person, call-in, and online comments received are reflected in the exhibit to the minutes of this meeting.

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

None

2. **Requests for clarification of agenda items listed on this agenda for public hearing and individual consideration.**

- Clarification:
  - o Mayor Pro Tem Beck: Item I 24-268
  - o Mayor Pro Tem Beck: Item T 24-280
  - o Mayor Pro Tem Beck: Item K 24-270
  - o Mayor Pro Tem Beck: Item F 23-2291
  - o Council Member Byrd: Item 23-1380

- Pulled For Individual Consideration:
  - o Council Member Meltzer: Item AB

A. ID 24-327 Meeting Questions, Responses & Handouts

3. **Work Session Reports**

A. ID 24-109 Receive a report, hold a discussion, and give staff direction regarding potential subject matter to be discussed by a future Charter Review Committee. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, results were as follows:

Through Council discussion, the following articles of the Charter were identified and selected for future work session review:

Article II. The Council

- Sec. 2.01 Number, selection, and term
- Sec. 2.02 Qualifications

Article III. Nominations and Elections

- Sec. 3.01 Municipal Elections

Article IV. Initiative, Referendum and Recall

- Sec. 4.12 Recall petition, committee of petitioners

Article XIV. General Provisions

- Sec. 14.03 Official newspaper
- Sec. 14.04 Ethics ordinance requirement
- Sec. 14.16 Boards and commissions

Additionally, a new section of the Charter was requested for review, the addition of the two-minute pitch.

B. ID 24-114 Receive a report, hold a discussion, and give staff direction regarding the FY 2023-24 Operating Budget, Capital Improvement Program, and Five-Year Financial Forecast for Denton Municipal Electric. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to follow staff recommendation.

C. ID 24-217 Receive a report, hold a discussion, and give staff direction regarding a Crypto Mining Data Center Project. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to:

- Move Forward
- Project is beginning to work through development services
- Rezoning of the property will add to timeline
- Lease and Power Purchase Agreement approval will be next

• Staff will bring to City Council and PUB when ready, potentially early March

The Mayor recessed at 3:54 for a short break.

The Mayor reconvened at 3:56 p.m.

CLOSED MEETING

1. The City Council convened into a Closed Meeting at 3:54 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

A. ID 24-117 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code Section 551.071 Receive information from staff regarding financial matters regarding the Denton Municipal Electric FY 2023-24 operating budget and financial forecast to the extent such projects are confidential under Texas Government Code Section 551.086; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys under Texas Government Code Section 551.071 regarding legal issues associated the above matter where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under Texas Disciplinary Rules of Professional Conduct of State Bar of Texas or would jeopardize the City's legal position in any administrative proceeding or potential litigation.
NOT DELIBERATED

B. ID 24-169 Deliberations Regarding Certain Public Power Utilities Competitive Matters - Under Texas Government Code Section 551.086. Receive a presentation from staff containing competitive power information related to a proposed power purchase agreement and lease between the City of Denton, as the seller of power and electric energy services, and lessor, and a cryptocurrency mining operator, as buyer and lessee; discuss, deliberate, and provide direction to staff regarding the same.
NOT DELIBERATED

C. ID 24-325 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the legal status, strategy and options for resolution of litigation in Cause No. CV-2024-00042, styled "State Farm Mutual Automobile Insurance Company as Subrogee of Antonee Bean v. City of Denton" pending in the Denton County Court at Law No. 2, Denton County, Texas; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position in pending litigation.
DELIBERATED

D. ID 24-374 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with City attorneys regarding an amendment to an existing Planned Development District (PD 174, Country Lakes), with amendments including but not limited to, modification to the development plan to increase seating and parking capacity and modify access, 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 any administrative proceeding or potential litigation. **DELIBERATED**

The closed meeting started at 3:56 p.m. and ended at 4:07 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, February 20, 2024, 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, Paul Meltzer, Joe Holland, Brandon Chase McGee, and Chris Watts

ABSENT: None

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

The posted agenda noted the registration process for in-person, call-in, and public participation at this meeting. While citizen commentary received via the online registration process was not read, each member for the City Council received each online commentary as it was submitted. In-person, call-in, and online comments received are reflected on the exhibit to the minutes of this meeting.

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag B. Texas Flag

2. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

A. Review of procedures for addressing the City Council.

B. Reports from members of the public shall be received through the following two (2) methods. A total of up to seven (7) speakers are permitted to provide public comment and may include any combination of prior registration and open microphone speakers.

1) Pre-registration. This section of the agenda permits any person who has registered in advance to make a citizen report regarding a public business item he or she wishes to be considered by the City Council. Each speaker is allowed a maximum of four (4) minutes to present their report. At the conclusion of each report, the City Council may pose questions to the speaker or may engage in discussion. If the City Council believes that a speaker's report requires a more detailed review, the City Council will give the City Manager or City Staff direction to place the item on a future work session or regular meeting agenda and advise staff as to the background materials to be desired at such meeting.

a. ID 24-305 Stephen Dillenberg regarding "The usurpation of the law by Denton City Council is killing us. Their actions are not compliant with Local, State nor Federal Law, so frequently in fact, I asked why, and one of them actually told me, "We can do whatever we want."
NOT PRESENTED

b. ID 24-308 Amira Rasoul regarding Free Palestine Denton.
PRESENTED

c. ID 24-309 Justin Weis regarding Ceasefire Resolution.
PRESENTED

d. ID 24-310 Malak Abu-esheh regarding Palestine.
PRESENTED

e. ID 24-320 Deb Armintor regarding Ceasefire Resolution.
PRESENTED

f. ID 24-332 Kristine Bray regarding Abundance Denton petition for using the 2024 TRiP funds for getting more buses on the road in Denton.
PRESENTED

2) Open Microphone. This section of the agenda permits any person who has not registered in advance for a citizen report to make comments about public business items not listed on the agenda. Such person(s) shall have registered using the "Virtual White Card" or "By Phone" process outlined by the City on its website or meeting notice.

(2) Additional Citizen Reports (Open Microphone)
Citizen comments received are noted on Exhibit A.

3. CONSENT AGENDA

The Consent Agenda consisted of Items 3. A-AD. During the Work Session held earlier in the day, Item 3. AB was pulled for Individual Consideration by Council Member Meltzer. Following the Closed Meeting and before the start of the Regular Meeting Council Member Meltzer rescinded his pulled item.

Council Member McGee moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Meltzer.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

A. ID 24-086 Consider approval of the minutes of the February 6, 2024 Regular Meeting.
APPROVED

B. ID 24-094 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commission.
APPROVED
APPOINTMENTS LISTED ON EXHIBIT B

C. ID 24-184 Consider approval of a resolution of the City of Denton providing the December 13, 2023 meeting absence by Planning and Zoning Commission Member Jason Cole be excused; and declaring an effective date.
ASSIGNED RESOLUTION NO. 24-184

D. ID 23-1380 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a funding agreement between the City of Denton and Habitat for Humanity of Denton County, Inc. to provide HOME Investment Partnership Program funds for the new construction of four (4) homebuyer units located at Habitat Village (located in Southeast Denton between Duncan St. and Hill St. and along Smith St.), Denton, Texas; authorizing the expenditure of funds in an amount not to exceed $309,350.93; and providing an effective date.
ASSIGNED ORDINANCE NO. 23-1380

E. ID 23-1909 Consider adoption of an ordinance of the City of Denton approving the aquatics master plan; and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).
ASSIGNED ORDINANCE NO. 23-1909

F. ID 23-2291 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Development Agreement between the City of Denton and Curve Development, LLC and Cyrene at Hickory Creek, LLC for the granting of a Public Access Easement for a park trail, for the construction of trail improvements, and for the planting of trees within the Hickory Creek Road Medians; authorizing acceptance of the public access easement; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (7-0)
ASSIGNED ORDINANCE NO. 23-2291

G. ID 24-189 Consider adoption of an ordinance of the City of Denton, a Texas home rule municipality, authorizing the city manager, or designee, to execute an encroachment on easement agreement by and between the City of Denton, as grantor, and Denton ANUSA, LLC, as grantee, for the purpose of the construction and placement of private improvements that encroach into a city owned electric utility easement, recorded in document no. 2015-42438 of the official public records of Denton County and being located in the G. Walker survey, abstract no. 1130, City of Denton, Denton County, Texas; providing an effective date.
ASSIGNED ORDINANCE NO. 24-189

H. ID 24-247 Consider adoption of an ordinance of the City of Denton approving an Assignment of Airport Lease from Hangar 10 Flying Museum to Sykes-Vaughan Investments, LLC covering property at 1945 Matt Wright Lane, Denton, Texas at the Denton Enterprise Airport; amending the existing Airport Lease; authorizing the City Manager to execute the Assignment of Airport Lease and Consent Agreement; and providing an effective date. Airport Advisory Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-247

I. ID 24-268 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 Stearns, Conrad and Schmidt Consulting Engineers, Inc., amending the contract approved by Purchasing on December 16, 2020, in the not-to-exceed amount of $23,000.00; amended by Amendment 1 approved by Purchasing; said second amendment to provide a pricing evaluation and update of the original Scope of Work for the Landfill Gas To Energy Project for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-017 - providing for an additional second amendment expenditure amount not-to-exceed $30,000.00, with the total contract amount not-to-exceed $55,435.00).
ASSIGNED ORDINANCE NO. 24-268

J. ID 24-269 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 Professional Services Agreement between the City of Denton and HDR Engineering, Inc., amending the contract approved by City Council on November 1, 2022, in the not-to-exceed amount of $217,106.50, said first amendment to provide Lead and Copper Public Outreach and Crisis

Communication Plan for the Water Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-019 - providing for an additional first amendment expenditure amount not-to-exceed $93,375.50, with the total contract amount not-to-exceed $310,482.00).
ASSIGNED ORDINANCE NO. 24-269

K. ID 24-270 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 Open Systems International, Inc., for the implementation of an Advanced Distribution Management System (ADMS) for Denton Municipal Electric; providing for the expenditure of funds therefore; and providing an effective date (RFP 8255 - awarded to Open Systems International, Inc., in the six (6) year not-to-exceed amount of $3,800,000.00).
ASSIGNED ORDINANCE NO. 24-270

L. ID 24-271 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 DNV GL Noble Denton USA, LLC, for the development and implementation of Data Extraction Solution and the Annual Maintenance and Support of Synergi Electric software for Denton Municipal Electric, 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 8322 - awarded to DNV GL Noble Denton USA, LLC, in the two (2) year not-to-exceed amount of $125,000.00).
ASSIGNED ORDINANCE NO. 24-271

M. ID 24-272 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 Doble Engineering Company, for the purchase of PRC-005 Compliance Software for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8350 - awarded to Doble Engineering 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 $252,222.35).
ASSIGNED ORDINANCE NO. 24-272

N. ID 24-273 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 Hammett Excavation, Inc., for the Moseley Road Landfill Erosion Maintenance Project for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8354 - awarded to Hammett Excavation, Inc., in the not-to-exceed amount of $1,156,005.17).
ASSIGNED ORDINANCE NO. 24-273

O. ID 24-274 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 Techline, Inc., for the purchase of 27kV circuit breakers for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 8369 - awarded to Techline, Inc., in the not-to-exceed amount of $1,145,250.00).
ASSIGNED ORDINANCE NO. 24-274

P. ID 24-276 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving a pre-qualified professional services list of state certified Engineers for professional engineering services for various capital infrastructure-related projects within the City of Denton for the Capital Improvements Department; and providing an effective date (RFQ 8377 - for a two (2) year, with the option for one (1) additional one (1) year extension, in the total three (3) year term).
ASSIGNED ORDINANCE NO. 24-276

Q. ID 24-277 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 Aerowave Technologies, LLC, through the Buy Board Cooperative Purchasing Network Contract # 696-23, for the purchase and installation of in-cab radios for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (File 8415 - awarded to Aerowave Technologies, LLC, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of $79,500.00).
ASSIGNED ORDINANCE NO. 24-277

R. ID 24-278 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 Universe Technical Translation, Inc., through the Buy Board Cooperative Purchasing Network Contract # 699-23, for the purchase of telephone interpreter services for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (File 8435 - awarded to Universe Technical Translation, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year in the not-to-exceed amount of $300,000.00).
ASSIGNED ORDINANCE NO. 24-278

S. ID 24-279 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 Axis Construction, LP, through the Buy Board Cooperative Purchasing Network Contract # 662-22, for the installation and procurement of elevated water storage tank mixers for the Water Production Department; providing for the expenditure of funds therefor; and providing an effective date (File 8445 - awarded to Axis Construction, LP, 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 $90,000.00).
ASSIGNED ORDINANCE NO. 24-279

T. ID 24-280 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 GT Distributors, Inc., amending the contract approved by the City Council on October 13, 2020, in the not-to-exceed amount of $393,000.00; said first amendment to continue to provide public safety equipment and supplies for the Fire and Police Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7479 - providing for an additional first amendment expenditure amount not-to-exceed $98,250.00, with the total contract amount not-to-exceed $491,250.00).
ASSIGNED ORDINANCE NO. 24-280

U. ID 24-281 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Howell Design Group, LLC (HDG), amending the contract approved by Purchasing on May 28, 2021, in the not-to-exceed amount of $45,000.00; amended by Amendments 1-2 approved by City Council; said third amendment for additional expedited security consulting and design services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (PSA 7723 - providing for an additional third amendment expenditure amount not-to-exceed $150,000.00, with the total contract amount not-to-exceed $797,300.00).
ASSIGNED ORDINANCE NO. 24-281

V. ID 24-282 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 Artistic Painting Company, Inc., amending the contract approved by the City Council on June 7, 2022, in the not-to-exceed amount of $600,000.00; said first amendment to continue to provide interior and exterior painting services for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7952 - providing for an additional first amendment expenditure amount not-to-exceed $150,000.00, with the total contract amount not-to-exceed $750,000.00).
ASSIGNED ORDINANCE NO. 24-282

W. ID 24-283 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 Techline, Inc., for the supply of traffic signal poles for the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (RFP 8422 - awarded to Techline, Inc., 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 $2,500,000.00).
ASSIGNED ORDINANCE NO. 24-283

X. ID 24-284 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 Thermo Scientific Portable Analytical Instruments Inc., through the GSA Cooperative Purchasing Network Contract # GS-07F-6099R, for the purchase of one (1) Gemini Raman and FTIR

Chemical Analyzer for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 8456 - awarded to Thermo Scientific Portable Analytical Instruments Inc., in the not-to-exceed amount of $102,604.53).
ASSIGNED ORDINANCE NO. 24-284

Y. ID 24-285 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 U.S. Venture, Inc. f/k/a Martin Eagle Oil Company, Inc., amending the contract approved by City Council on January 28, 2020, in the not-to-exceed amount of $16,000,000.00; said first amendment to continue to purchase motor vehicle fuels for use by all City departments; providing for the expenditure of funds therefor; and providing an effective date (File 7251 - providing for an additional first amendment expenditure amount not-to-exceed $4,000,000.00, with the total contract amount not-to-exceed $20,000,000.00).
ASSIGNED ORDINANCE NO. 24-285

Z. ID 24-293 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 Professional Services Agreement between the City of Denton and Burns & McDonnell Engineering Company, Inc., amending the contract approved by City Council on August 16, 2022, in the not-to-exceed amount of $387,500.00, said first amendment to continue to manage and control the geometric network to a utility network in the capacity of Owner's Engineer to Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-004 - providing for an additional first amendment expenditure amount not-to-exceed $65,000.00, for a total contract amount not-to-exceed $452,500.00).
ASSIGNED ORDINANCE NO. 24-293

AA. ID 24-324 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute contracts regarding use of the Department of Public Safety of the State of Texas (DPS) Interactive System which supplies Driver Records and Monitoring Services for Human Resources; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-324

AB. ID 24-326 Consider adoption of an ordinance approving a Settlement Agreement and Release implementing the terms of the settlement in litigation styled "State Farm Mutual Automobile Insurance Company as Subrogee of Antonee Bean v. City of Denton;" Cause No. CV-2024-00042, pending in the Denton County Court at Law No. 2, Denton County, Texas; and directing the City Manager or designee and the City's attorneys to effectuate as necessary and appropriate the terms of a Settlement Agreement and Release to effectuate this approval; and declaring an effective date.
ASSIGNED ORDINANCE NO. 24-326

AC. ID 24-341 Consider adoption of an ordinance of the City of Denton, Texas, adopting a 100% property tax exemption for qualifying child-care facilities as authorized under Texas Tax

Code Section 11.36 and Article VIII, Section 1-R of the Texas Constitution; providing a repealing clause; providing a severability clause; and establishing an effective date.
ASSIGNED ORDINANCE NO. 24-341

AD. ID 24-377 Consider approval of a resolution of the City of Denton confirming the appointment of Bryan Cose as acting Chief of Police of the City of Denton Police Department beginning on February 13, 2024; and declaring an effective date.
ASSIGNED RESOLUTION NO. 24-377

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 24-376 Consider a motion to reconsider the February 6, 2023 approval of a resolution of the City of Denton supporting Denton Affordable Housing Corporation's 9% housing tax credit application to Texas Department of Housing and Community Affairs for proposed new construction of the Stella Haven Apartments to provide affordable rental housing; committing to provide fee reductions in an amount of $500.00; and providing an effective date.

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. The summary of public commentary/registrations are noted on Exhibit A.

The item was presented, and discussion followed.

Citizen comments received are noted on Exhibit A.

Following discussion, Council Member Watts moved to adopt the item as presented. Motion seconded by Mayor Hudspeth.

Motion failed.

AYES (2): Mayor Hudspeth and Council Member Watts

NAYS (5): Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, and McGee

The Mayor recessed at 7:55 p.m.

The Mayor reconvened at 8:00 p.m.

5. PUBLIC HEARINGS

A. PDA23-0001b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an amendment to an existing Planned Development District (PD 174, Country Lakes), with amendments including but not limited to, modification to the development plan to increase seating and parking capacity and modify access, on approximately 28 acres of land generally located at the northeast corner of Crawford Road and Carnegie Ridge Road 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 (4-0) to recommend approval of the request. Motion for approval by Commissioner Smith and second by Commissioner Villareal. (PDA23-0001b, St Mark, Julie Wyatt)
ASSIGNED ORDINANCE NO. PD23-0001b

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. The summary of public commentary/registrations are noted on Exhibit A.

The item was presented, and discussion followed.

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

With no other callers on queue, the public hearing was closed.

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

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

B. ID 24-383 Hold a public hearing and consider approval of a resolution of the City of Denton supporting Denton Affordable Housing Corporation's 9% housing tax credit application to Texas Department of Housing and Community Affairs for the proposed new construction of the Stella Haven Apartments to provide affordable rental housing; committing to provide fee reductions in an amount of $500.00; and providing an effective date.
NOT CONSIDERED

6. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 24-321 Consider approval of a resolution of the City of Denton naming Dylan Dorrell Memorial Trail located in South Lakes Park; and providing an effective date. [Parks, Recreation and Beautification Board recommended approval (5-0).]
ASSIGNED RESOLUTION NO. 24-321

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

The item was presented, and discussion followed.

Following discussion, Council Member Holland moved to adopt the item as presented. Motion seconded by Council Member McGee.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

B. ID 24-322 Consider approval of a resolution of the City of Denton naming Jeff LaQuey Memorial Trail located in Hartlee Field Mountain Bike Park; and providing an effective date. [Parks, Recreation and Beautification Board recommended denial (5-0)]
ASSIGNED RESOLUTION NO. 24-322

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

The item was presented, and discussion followed.

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

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

C. ID 24-275 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 Hawk Construction, LLC., for the construction of precast concrete security/screening walls for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing

an effective date (RFP 8370 - awarded to Hawk Construction, 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 $6,000,000.00).
ASSIGNED ORDINANCE NO. 24-275

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

The item was presented and no discussion followed.

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

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

D. ID 24-323 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 HR Green, Inc., for engineering review of private development projects for the Development Services Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8401 - awarded to HR Green, Inc., in the five (5) year not-to-exceed amount of $12,000,000.00).
ASSIGNED ORDINANCE NO. 24-232

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 Byrd.

Motion carried.

AYES (6): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, and Watts

NAYS (1): Council Member McGee

E. ID 24-128 Consider adoption of an ordinance amending Chapter 25 "Streets, Sidewalks, And Public Places", Article I "In General", Section 25-4 "Painting or marking on public property; permit for painting address numbers for pay", of the Code of Ordinances of the City of

Denton, to remove the requirement to obtain a permit; providing a repealer clause; providing a savings clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-128

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

The item was presented and discussion followed.

Following discussion, Mayor Hudspeth moved to adopt the item as presented. Motion seconded by Mayor Pro Tem Beck.

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Beck and Council Members Byrd, Meltzer, Holland, McGee, and Watts

NAYS (0): None

7. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 9:27 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

JESUS SALAZAR
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: 3/6/2024

February 20, 2024 City Council Regular Meeting - EXHIBIT A

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Alli	Sandlin			24-376	Support	E-Comment	I support the motion to reconsider the approval of the Stella Haven project.
Kathyle	Rocha			24-376	Support	E-Comment	ID 24-376 Consider a motion to reconsider the February 6, 2023 resolution approval
Velma	Hixon	3817 Ranchman Blvd	Denton	24-376	Support	E-Comment	I suppose the motion to reconsider the approval of the Stella Haven apartments.
Isabel	Kenner			24-376	Support	E-Comment	I support the motion to reconsider the approval of the Stella Haven project.
Brandy	Kildal	3425 Mustang Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider the approval regarding the Stella Haven development. This site is clearly too small and too close to neighboring homes for the proposed three story complex and parking garage. There is also inadequate outdoor space for
Amy	Huffman	2512 Pioneer Dr	Denton	24-376	Support	E-Comment	I am in support of: Council to consider a motion to reconsider the February 6, 2023 approval of a resolution of the City of Denton supporting Denton Affordable Housing Corporation's 9% housing tax credit application to Texas Department of Housing
Holly	Holton-Hoffman	3316 Casa Grande Dr	Denton	24-376	Support	E-Comment	I support a revote.
Mary	Wilkinson	3329 Mustang Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider the approval of the Stella Haven project
Deborah	Ridge	1511 Hunters Ridge	Denton	24-376	Support	E-Comment	I support the motion to reconsider the Stella Haven development project. I am a Homeowner in the area. I was not notified of this plan to build taxpayer subsidized apartments. I am opposed to such project. Please consider the negative impact on current
Rhonda	Powell	3536 Sundown Blvd	Denton	24-376	Support	E-Comment	I support the motion to reconsider the approval of the Stella Haven project.
Tony	Rosario	3305 Mustang Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider. This is not the location that we should be building this structure. We all want to help our fellow citizens, but we must choose a site that is not forced on a group of long-time residents that will undoubtedly reduce property
Debbie	Urban			24-376	Support	E-Comment	I support the motion to vote to re-vote. Sundown Ranch was not informed until just days before Feb 6th.
Mariela	NuÃ±ez-Janes			24-376	Oppose	E-Comment	I oppose the motion to reconsider. This motion is a political move in bad faith. I own a home in Sundown Ranch and since the community met with the developer many of the residents changed their mind. The motion has nothing to do with the merits of the
Nechelle	Decker	3813 Ranchman Blvd		24-376	Support	E-Comment	I support the motion to reconsider Stella Haven development on the Sundown Ranch subdivision.
Dianne	Holt	3020 Frontier Dr	Denton	24-376	Support	E-Comment	Please revote because we did not have the full input for our neighborhood.
Monica	Lewis				Support	E-Comment	I support the motion to reconsider the Stella Haven development on the Sundown Ranch subdivision
Heather	Guerrero	3524 Mustang Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider the construction of the Stella Haven Apartments.
Dave	Bryan	3016 Frontier Dr	Denton	24-376	Support	E-Comment	I support the motion to revisit the approval.
Michell	King	2916 Frontier Dr	Denton	24-376	Support	E-Comment	We were never informed because the developer did not have the right email address, therefore we beg the council to reconsider since we were never notified, thank you.
Joseph	Banyai	3405 Sundown Blvd.	Denton	24-376	Support	E-Comment	We support the motion to reconsider the Stella Haven development on the Sundown Ranch subdivision.
Linda	Clark	2809 Pioneer Dr	Denton	24-376	Support	E-Comment	I support the notion to reconsider the Strlla Haven project.
Ray	Hair		Denton	24-376	Support	E-Comment	I support a motion to reconsider the previous question and if that motion carries, I am opposed to adoption of the resolution of support for construction of taxpayer subsidized apartments at Sundance Boulevard and Teasley Lane. The proposed new housing
Jennifer	Martin			24-376	Support	E-Comment	I support the motion to reconsider the construction of the Stella Haven Apartments.
Bob	Hanson	3325 Estacado Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider the Feb 6 2024 decision that grants Stella Haven the 9% tax credit and reduced feeâ€™s. I believe the addition of an apartment complex of any type will be a burden on the residents of Sundown Ranch. As a resident we pay
David	Martin	2201 Palomino Ct	Denton	24-376	Support	E-Comment	I support the motion to reconsider the construction of the Stella Haven Apartments.
David	Rayson	2105 Regata Ct	Denton	24-376	Support	E-Comment	We support the motion to reconsider the Stella Haven apartment development.
Rebecca	Bevilacqua	2812 Hollow Ridge Dr	Denton	24-376	Support	E-Comment	We support the motion to reconsider the Stella Haven apartment development.
James	Simpson	3605 Longhorn Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider the Feb 6 2024 decision that grants Stella Haven the 9% tax credit and reduced feeâ€™s. I believe the addition of an apartment complex of any type will be a burden on the residents of Sundown Ranch. I also feel that if the rest
Maria	Renner			24-376	Support	E-Comment	We support the motion to reconsider the approval. We live in Sundown Ranch and OPPOSE the apartment complex.
Brian	Price	2505 Pioneer Dr	Denton	24-376	Oppose	E-Comment	I oppose the resolution. I am a resident of Sundown Ranch and support the Stella Haven Apartments. The City Council voted correctly on this in the February 6th meeting. It is unfortunate that the HOA didn't get notice until 2 days before the meeting, but this
Lisa	Rux	3529 Sundown Blvd	Denton	24-376	Support	E-Comment	I support the motion to reconsider the Stella Haven apartment development.
Sue	Palencia	2900 Frontier Dr	Denton	24-376	Support	E-Comment	I support reconsideration of the vote to approve this project.
Connie	Guess	1504 Hunters Ridge	Denton	24-376	Support	E-Comment	Thank you for reconsidering your vote on Stella Haven. I strongly oppose these apartments being built in this area. This will increase traffic, crime and lower our home values which greatly concerns me after as hard as we all have worked to get to where we are
Gary	Chane	3608 Lake County Dr	Denton	24-376	Support	E-Comment	I support motion for reconsideration. I am opposed to the Stella Haven Project due to traffic concerns.
Hysen	Tmava	2804 Frontier Dr	Denton	24-376	Support	E-Comment	I support the consideration of this motion as I strongly oppose the project of Stella heaven apartments
Laydiie	Pllana	2804 Frontier Dr	Denton	24-376	Support	E-Comment	I support a revote to this motion as I stand against the apartments. I did not know of this motion before and I would like that it gets reconsidered!
Lydia	Hodgson	2721 Hollow Ridge Dr	Denton	24-376	Support	E-Comment	Please reconsider this vote as this project does NOT have community support. The residents were blindsided due to the developer intentionally or unintentionally kept sending communication to a wrong email since last December. The density of this project is
Catherin	Janacek	Big Horn Trail	Denton	24-376	Support	E-Comment	I support the motion to re vote. Sundown Ranch community was not aware of this until 3 days before the vote took place. Many of our concerns about this development were not addressed at the meeting before the city council voted in favor of continuing the proj
Talon	Templet			24-376	Support	E-Comment	I support the motion to reconsider a re-vote. I oppose Stella Haven apartments. I know the it will negatively effect my property value. After a few years this property will become run down and became an eye sore right in front of my neighborhood, Sundown
Roseann	Ciccia	3620 Big Horn Trail	Denton	24-376	Support	E-Comment	I support the motion to reconsider the councils previous actions on this proposed development. I oppose putting a low income housing project at the entrance to Sundown Ranch neighborhood. As a long time homeowner in SDR, I am highly concerned about
Paul	Levitt	2712 Hollow Ridge Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider.
Abel	Puente	3416 Mustang Dr	Denton	24-376	Support	E-Comment	I support the motion to reconsider. I oppose the Stella Haven development.
Jason	Gavenda	3709 Ranchman Blvd	Denton	24-376	Support	E-Comment	Opposed. Too many apartments in area already
Harish	Vedantham		Denton	24-376	Oppose	E-Comment	Opposed
Chris	Linton	2621 Pinto Dr	Denton	24-376	Support	E-Comment	To Whom it May Concern,
Jennifer	Ramola	6717 Cedarhurst Ct	Denton	PDA23-	Support	E-Comment	My name is Jennifer Ramola. I live in the Carnegie Ridge neighborhood near St Mark Church. I am expressing my support for all proposed amendments to the development plan by St Mark Church. The church has held several meetings with the residents of the
Mariela	NuÃ±ez-Janes			24-383	Support	E-Comment	I oppose the motion to reconsider the approval of the resolution. My family and I own a home in Sundown Ranch and this move to reconsider has nothing to do with the merit of the application or the interests of Denton residents. This is a political move in bad
Heather	Guerrero	3524 Mustang Dr	Denton	24-383	Support	E-Comment	I support the motion to reconsider the construction of the Stella Haven Apartments.
Debbie	Urban			24-383	Support	E-Comment	I support the motion to vote to reconsider the vote concerning Stella Haven Apartments. As a homeowner in Sundown Ranch, we did not have adequate time nor information to respond to this project since we found out late on February 4th.
Ricky	Barnett	604 Neptune Dr	Denton	Open Mic			
Erin	Taylor	2805 N Bell	Denton	Open Mic			Ceasefire Resolution
Megan	Lasch	5501-A Balcones Dr	Austin	24-376	Support	IC	Applicant
Tim	Urban	3516 Big Horn Trail	Denton	24-376	Oppose	IC	
Kristine	Bray	1204 Cordell	Denton	24-376	Support	IC	
Deb	Armintor	2003 Mistywood Lane	Denton	24-376	Support	IC	
Nathan	Goldsmith	1100 Abbotts Lane	Denton	24-376	Oppose	IC	
Kevin	Imming	6312 Savannah Oak Trl	Argyle	PDA23-	Support	PH	
Kathi	Mundy	6517 Ridglea Ct	Argyle	PDA23-		PH	
Greg	Mundy	6517 Ridglea Ct	Argyle	PDA23-		PH	
Mark	Cowan	6705 Cedarhurst Ct	Denton	PDA23-		PH	
Anita	Freese	6500 Cedarhurst Ct	Denton	PDA23-		PH	
Joseph	Dracobly	6620 Cedarhurst Ct	Denton	PDA23-		PH	
Greg	Johnson	3190 Teasley Lane	Denton	PDA23-		PH	
Todd	Gray	3517 Sundown Blvd	Denton	24-376	Support	White Card	
Neva	Anderson	2505 Clubhouse Dr	Denton	24-332	Oppose	White Card	
Sue	Palencia	2900 Frontier Dr	Denton	24-332	Oppose	White Card	
Lisa	Rux	3529 Sundown Blvd	Denton		Oppose	White Card	
Todd	Gray	3517 Sundown Blvd	Denton	24-376	Oppose	White Card	
Jacob	Moses	1004 W Hickory St Apt	Denton	24-383	Support	White Card	
Josh	White	3909 Paint	Denton	24-376	Support	White Card	
Neva	Anderson	2505 Clubhouse Dr	Denton	24-305	Oppose	White Card	
Neva	Anderson	2505 Clubhouse Dr	Denton	24-308	Oppose	White Card	
Neva	Anderson	2505 Clubhouse Dr	Denton	24-320	Oppose	White Card	
Sue	Palencia	2900 Frontier Dr	Denton	24-308	Oppose	White Card	
Sue	Palencia	2900 Frontier Dr	Denton	24-309	Oppose	White Card	
Sue	Palencia	2900 Frontier Dr	Denton	24-310	Oppose	White Card	
Jeremy	Schmucker	9025 Chisum Blvd	Sanger	PDA23-	Support	White Card	

BOARDS & COMMISSIONS - NOMINATIONS LIST
February 20, 2024
Exhibit B

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	NOMINEE	PRESENT TERM	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Planning and Zoning Committee	5	Brandon Chase McGee	Desiree J. Padron	New	UNEXPIRED September 1, 2022 through August 31, 2024	New Appointment