CITY OF DENTON CITY COUNCIL MINUTES
June 18, 2024

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, June 18, 2024, at 2:01 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Brian Beck, Vicki Byrd, Joe Holland, and Jill Jester. Council Member Brandon Chase McGee arrived at 2:20 p.m.

ABSENT: None

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.

WORK SESSION

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 Council Member Holland: Item B

o Council Member Holland: Item AA

• Pulled For Individual Consideration:

o Council Member Beck: Item A

A. ID 24-472 Meeting Questions, Responses & Handouts

3. **Work Session Reports**

A. ID 23-2460 Receive a report, hold a discussion, and give staff direction regarding Audit Project 039 - Electric System Operations. [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.

B. ID 24-903 Receive a report, hold a discussion, and give staff direction regarding the City of Denton Draft Climate Action Plan. [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.

C. ID 24-239 Receive a report, hold a discussion, and give staff direction regarding an update on ad valorem rates and General Fund financials. [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.

D. ID 24-1111 Receive a report, hold discussion, and give staff direction regarding proposed amendments to the Denton Code of Ordinance requiring working air conditioning in rentals and prohibiting community associations from disallowing window air conditioners. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was not to make changes to the proposed language.

E. ID 24-1004 Receive a report, hold a discussion, and give staff direction on pending City Council requests for: 1) Request for a work session to evaluate the pros and cons of making Election Day a municipal holiday. 2) Request for a work session to set the scope and timelines for a Board of Ethics and staff review and report on policies for Council interactions with petitioners, applicants, and partners. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was as follows:

o Consensus for a future work session regarding making Election Day a municipal holiday.

Following discussion, City Council consensus was as follows:

o Consensus for a future work session regarding scope and timelines for a Board of Ethics.

The work session ended at 4:10 p.m.

1. **Closed Meeting:**

CLOSED MEETING HELD

1. The City Council convened into a Closed Meeting at 4:21 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

A. ID 24-1218 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 potential amendments to the Core Scientific Power Purchase Agreement and Lease that includes data stemming from public power utility competitive data; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorney regarding issues associated with the above matter 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 Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative or potential litigation.
DELIBERATED

B. ID 24-1234 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. 24-4150-481, styled "Keisha Kimbrough v. City of Denton" pending in the 481st District Court, Denton County, Texas; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position in pending litigation.
DELIBERATED

The closed meeting started at 4:21 p.m. and ended at 5:21 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, June 18, 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 Paul Meltzer and Council Members Brian Beck, Vicki Byrd, Joe Holland, Jill Jester, and Brandon Chase McGee

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. PROCLAMATIONS/PRESENTATIONS

A. ID 24-1239 Proclamation: Denton Odd Fellow Lodge #82, I.O.O.F. 1859-2024 Celebration of 165 Years of Service
PRESENTED

3. 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 24-1253 Ms. Elizabeth Clinton regarding Palestine.
PRESENTED

b. ID 24-1255 Mr. Daniel Cowart regarding Palestine.
PRESENTED

c. ID 24-1256 Ms. Donna Smith regarding new days.
PRESENTED

d. ID 24-1257 Mr. Justin Weiss regarding Ceasefire Resolution.
PRESENTED

e. ID 24-1258 Ms. Amira Rasoul regarding Ceasefire Resolution.
PRESENTED

f. ID 24-1259 Mr. Richard Harris regarding Palestine.
PRESENTED

g. ID 24-1260 Mr. Tim Smith regarding open space on Planning and Zoning.
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.

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.B-AF. During the Work Session held earlier in the day, Item 4.A was pulled for Individual Consideration by Council Member Beck.

Council Member Beck moved to adopt the Consent Agenda, now consisting of Items 4.B-AF. Motion seconded by Council Member Holland.

Motion carried.

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

NAYS (0): None

B. ID 24-1235 Consider adoption of an ordinance of the City of Denton approving a Settlement Agreement and Release implementing the terms of the settlement in litigation styled "Keisha

Kimbrough v. City of Denton;" Cause No. 24-4150-481, pending in the 481st Judicial District Court, 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. 24-1235

C. ID 24-1047 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) for the relocation and road widening projects (ROW CSJ 0195-03-103, ROW CSJ 0081-13-074, and ROW CSJ 1951-01-012) of various facilities operated by Denton Municipal Electric generally located at I35E frontage road at the Union Pacific Railroad crossing, I35W frontage road between FM 407 and FM 2499 and FM1515 from Bonnie Brae Street to Westcourt Road within the territorial limits of the City of Denton; authorizing the expenditure of funds not to exceed $5,000,000; and declaring an effective date.

ASSIGNED ORDINANCE NO. 24-1047

D. ID 24-1215 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute and deliver the Standard Utility Agreement ("Agreement") by and between the City of Denton ("City") and the Texas Department of Transportation ("TxDOT"), for the reimbursement of eligible costs incurred in the adjustment, removal, and relocation of city facilities of both Water and Wastewater Utilities along I-35E from US 377/Fort Worth Drive to Locust Street and along the North Frontage Road at UPRR Railroad to the east ("Utility Relocations Project -TxDOT CSJ# 0195-03- 103/Utility ID:U00020852), within the County and City of Denton, Texas; providing for the expenditure of funds in an amount not to exceed Seven Hundred Fifteen Thousand, One Hundred and Fifteen and 00/100 Dollars ($715,115.00) for Water and Wastewater Utility Relocation efforts; and providing an effective date. The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1215

E. ID 24-1123 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute and deliver Supplemental No. 2 to the Standard Utility Agreement ("Agreement") by and between the City of Denton and the Texas Department of Transportation ("TxDOT"), for the reimbursement of design, property acquisition and related services, construction, inspection, project management and other direct costs associated with the adjustment, removal, and/or relocation of water utilities along I-35E from Mayhill to Loop 288 more specifically called the I-35E/Mayhill Utility Relocations Project (Utility ID No. U00008008) for water utility relocation efforts, within the County and City of Denton, Texas; providing for the expenditure of funds not to exceed an increase of One Million, Eight Hundred Thirty-Two Thousand, Six Hundred Thirty-Two and 59/100 dollars ($1,832,632.59) therefor; and providing an effective date. The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1123

F. ID 24-1124 Consider adoption of an ordinance of the City of Denton amending Chapter 18 "Motor Vehicles and Traffic", Article III "Speed of Vehicles", Section 18-73 "Speed Limits on Certain Roads and Highways", "TXDOT Roads", "School Zones", of the code of ordinances of the City of Denton, to change the locations, extent, and speed limits of certain TxDOT roads and speed zones in the vicinity of a school; 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. 24-1124

G. ID 24-1073 Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute and administer joint funding agreements ("agreements") for water resource investigations by and between the City of Denton and the United States Geological Survey, Oklahoma-Texas Water Science Center ("USGS") related to continued support of the Hickory Creek streamflow station ("station") in an annual amount not to exceed $6,500.00; authorizing the expenditure of funds; and providing an effective date. The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-1073

H. ID 24-1061 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Memorandum of Understanding for a Feasibility and Operation Study of a new aquatic facility with the University of North Texas in an amount not to exceed $20,000; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1061

I. ID 24-1177 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager to execute an agreement with the U.S. Department of Homeland Security Cybersecurity & Infrastructure Security Agency to conduct a Validated Architecture Design Review Assessment to evaluate the operation technology environment cybersecurity posture; ratifying the execution of the Cybersecurity Assessments Rules of Engagement; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1177

J. ID 24-1161 Consider approval of a resolution of the City of Denton denying McCart St, LLC's petition for removal of property from the extraterritorial jurisdiction of the City of Denton and denying the City's consent to the reduction of the City's extraterritorial jurisdiction; and providing an effective date.
ASSIGNED RESOLUTION NO. 24-1161

K. ID 24-1162 Consider approval of a resolution of the City of Denton denying McCart St, LLC's petition for removal of property from the extraterritorial jurisdiction of the City of Denton and denying the City's consent to the reduction of the City's extraterritorial jurisdiction; and providing an effective date.
ASSIGNED RESOLUTION NO. 24-1162

L. ID 24-1090 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a contract of sale between the City of Denton, as buyer, and Richard Lee Burch (referred to herein as "seller"), for the purchase of approximately 6.125 acres of land, more or less, for the purpose of the construction of Wastewater Treatment Facility and other public uses, being situated in the James W. Withers Survey, Abstract No. 1343, City of Denton , Denton County, Texas, and being a part of Lot 1, Block 1, of Burch Addition, an addition to the City of Denton, Texas, according to the plat thereof recorded in document No. 2012-165 of Denton County, Texas, located in the extraterritorial jurisdiction and County of Denton, Texas, for the purchase price of One Million Nine Hundred Thousand and no/100 Dollars ($1,900,000.00); authorizing the expenditure of funds therefor; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-1090

M. ID 24-1092 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a contract of sale between the City of Denton, as buyer, and Burch Family Farm Ltd (referred to herein as "seller"), for the purchase of approximately 3.919 acres of land, more or less, for the purpose of the construction of Wastewater Treatment Facility and other public uses, being located at 4478 Country Club Road in the J. W. Withers Survey, Abstract No. 1343, located in the extraterritorial jurisdiction and County of Denton, Texas, for the purchase price of Four Hundred and Eighty Thousand and 00/100 Dollars $480,000.00; authorizing the expenditure of funds therefor; providing for severability; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-1092

N. ID 24-1145 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 1898 & Co., a division of Burns & McDonnell Engineering Company, Inc., amending the contract approved by City Council on August 1, 2023, in the not-to-exceed amount of $892,320.00, said first amendment to add additional services as the Owner's Engineer for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-010 - providing for an additional first amendment expenditure amount not-to-exceed $197,780.00, with the total contract amount not-to-exceed $1,090,100.00). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1145

O. ID 24-1146 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 Freeport Welding & Fabricating, Inc., amending the contract approved by the City Council on June 27, 2023, in the not-to-exceed amount of $1,279,570.00; said first amendment to complete the purchase of three (3) 60,000 gallon tanks for the Denton Energy Center Winterization Project; providing for the expenditure of funds therefor; and providing an effective date (RFP 8220 - providing for an additional first

amendment expenditure amount not-to-exceed $140,000.00, with the total contract amount not-to-exceed $1,419,570.00). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1146

P. ID 24-1147 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 (CTS) Crown Texas, Inc. dba Crown Texas, Inc., for the purchase of prefabricated substation control buildings for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8418 - awarded to (CTS) Crown Texas, Inc. dba Crown Texas, Inc., in the three (3) year not-to-exceed amount of $2,419,785.01). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1147

Q. ID 24-1148 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 Mountain Cascade of Texas, LLC, for the I-35 Utility Relocation at Fort Worth Drive project, including the construction and movement of public water and abandonment of wastewater utilities in support of the Texas Department of Transportation's I-35 widening from US-377 to South Locust Street for the Capital Projects Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7968-006 - awarded to Mountain Cascade of Texas, LLC, in the not-to-exceed amount of $750,870.75). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1148

R. ID 24-1150 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 Gage & Cade Construction, LLC, for the construction of the Landfill Entrance Facility (Scalehouse) Improvements Project for the Solid Waste and Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8281 - awarded to Gage & Cade Construction, LLC, in the not-to-exceed amount of $3,419,799.60). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1150

S. ID 24-1151 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 Trilliant Networks Inc., for the renewal extension of continued vendor support services for Advanced Metering Infrastructure (AMI) 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 8566 - awarded to Trilliant Networks Inc., in the five (5) year not-to-exceed amount of $1,707,564.10).

ASSIGNED ORDINANCE NO. 24-1151

T. ID 24-1152 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 property, boiler, machinery, and business interruption insurance coverage for the Denton Energy Center through the City's broker of record, Lockton Companies, LLC; and providing an effective date (File 8544 - awarded to Associated Electric & Gas Insurance Services Limited (AEGIS), 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 $2,707,349.29). The Public Utilities Board recommends approval (6-0).

ASSIGNED ORDINANCE NO. 24-1152

U. ID 24-1153 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 Kimley-Horn and Associates, Inc., for the Vision Zero Phase II Implementation 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 8430 - Professional Services Agreement for implementation services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of $190,000.00).

ASSIGNED ORDINANCE NO. 24-1153

V. ID 24-1154 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 Vernara LLC, for truck hauling services for the Streets Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8492 - awarded to Vernara LLC, 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 $1,300,000.00).

ASSIGNED ORDINANCE NO. 24-1154

W. ID 24-1155 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-CPO-5091 for Apple Branded Products, accessories, & warranties, DIR-CPO-4875 for Products & Related Services, DIR-CPO-5094 for Products & Related Services, DIR-CPO-5188 for Products & Related Services, DIR-TSO-4181 for Products & Related Services, DIR-TSO-4317 for Products & Related Services; through Interlocal Cooperative Purchasing Agreement with the Sourcewell Cooperative Purchasing Network, Contract Number 081419 for Technology Catalog Solutions; through the Buy Board Cooperative Purchasing Network Contract 661-22 for Technology Equipment, Products, Services, and Software; through the Interlocal Purchasing System (TIPS) Cooperative Program Contract Number 230105 for Information Technology Solutions, Products, and Services; through the Omnia Partners Cooperative Purchasing Network Contracts: Omnia 2018011-02 and Omnia R220804 for Information Technology Solutions, Total Cloud Solutions, and Services with SHI Government Solutions, Inc. for the Technology Services Department; providing for the

expenditure of funds therefor; and providing an effective date (File 8561 - awarded to SHI Government Solutions, Inc., in the five (5) year not-to-exceed amount of $4,000,000.00).
ASSIGNED ORDINANCE NO. 24-1155

X. ID 24-1157 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 Wärtsilä North America, Inc., amending the contract approved by City Council on April 20, 2021, in the not to exceed amount of $3,448,184.00; said first amendment to continue to supply routine maintenance supplies for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7544 - providing for an additional first amendment expenditure amount not-to-exceed $862,046.00, with the total contract amount not-to-exceed $4,310,230.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-1157

Y. ID 24-1197 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 Parkhill, Smith & Cooper, Inc., for design services of Landfill Cell 6 for the Solid Waste and Recycling Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-039 - Professional Services Agreement for design services awarded to Parkhill, Smith & Cooper, Inc., in the not-to-exceed amount of $367,000.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-1197

Z. ID 24-1198 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fifth amendment to a contract between the City of Denton and Schneider Electric Smart Grid Solutions, LLC, formerly Telvent USA, LLC, amending the contract approved by City Council on May 7, 2013, in the not-to-exceed amount of $491,813.75; said fifth amendment to continue to provide vendor support of the Denton Municipal Electric (DME) ArcFM solution and associated software modules along with new hardware and software upgrades, which is the sole provider of these items, 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 8564 - providing for a two (2) year term and an additional fifth amendment expenditure amount not-to-exceed $95,000.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-1198

AA. ID 24-1199 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 Bureau Veritas North America, Inc., to provide pool inspections in the City of Denton for the Development Services Department; providing for the expenditure of funds therefor; and

providing an effective date (RFP 8527 - awarded to Bureau Veritas North America, 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 $360,000.00).

ASSIGNED ORDINANCE NO. 24-1199

AB. ID 24-1200 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 Vertosoft, LLC, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-TSO-4227, for Products & Related Services for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8568 - awarded to Vertosoft, LLC, in a one (1) year with four (4) optional one (1) year renewals in a five (5) year not-to-exceed amount of $250,000.00).

ASSIGNED ORDINANCE NO. 24-1200

AC. ID 24-1201 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 Perry Weather, Inc., through the Buy Board Cooperative Purchasing Network Contract # 647-21, for the purchase of lightning warning equipment and services for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (File 8509 - awarded to Perry Weather, 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 $350,000.00).

ASSIGNED ORDINANCE NO. 24-1201

AD. ID 24-1202 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 Linear Traffic Markings LLC, as the primary vendor, and Traffic Highway Maintenance, LLC, as the secondary vendor, for pavement marking services for the Traffic Operations Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8475 - awarded to Linear Traffic Markings LLC and Traffic Highway Maintenance, LLC, in the three (3) year not-to-exceed amount of $1,800,000.00).

ASSIGNED ORDINANCE NO. 24-1202

AE. ID 24-1204 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 various vendors as set forth below for the purchase of water and wastewater inventory parts to be stocked in the City of Denton Warehouse; providing for the expenditure of funds therefor; and providing an effective date (RFP 8444 - awarded to Benmark Supply Company, Inc., Consolidated Pipe & Supply Company, Inc., Core & Main LP, Ferguson Enterprises, LLC, Fortiline, Inc., and Metron Farnier, L.L.C., for three (3) years, with the option for one (1) additional one (1) year extension, in the total four (4) year not-to-exceed amount of $12,000,000.00).

ASSIGNED ORDINANCE NO. 24-1204

AF. ID 24-1203 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 Lexipol, LLC, through the Sourcewell Cooperative Purchasing Network Contract Number 011822-LXP, for implementation of a citywide policy management system for the Human Resources Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8552 - awarded to Lexipol, LLC, in the three (3) year not-to-exceed amount of $90,000.00).
ASSIGNED ORDINANCE NO. 24-1203

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

A. ID 24-491 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commission and Zoning Board of Adjustment.

APPOINTMENTS LISTED ON EXHIBIT B

Mayor Pro Tem Meltzer raised a Point of Order.

The Mayor overruled the Point of Order.

Mayor Pro Tem Meltzer made a Motion to Appeal the Chair's Ruling to the Council. There was no second to the motion.

Citizen comments received are noted on Exhibit A.

Following discussion, Mayor Pro Tem Meltzer moved to appoint the nominee to the Zoning Board of Adjustment as noted in Exhibit B. Motion seconded by Council Member Byrd.

Motion carried.

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

NAYS (0): None

A. ID 24-491 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Planning & Zoning Commission and Zoning Board of Adjustment.

Following discussion, Mayor Pro Tem Meltzer raised a renewed Motion to Appeal Point of Order. Council Member Beck seconded the motion.

Discussion followed.

Motion carried.

AYES (4): Mayor Pro Tem Meltzer, Council Members Beck, Byrd, and McGee.

NAYS (3): Mayor Hudspeth, Council Members Holland and Jester.

5. PUBLIC HEARINGS

A. ID 24-1107 Hold a public hearing and consider approval of a resolution of the City Council of Denton, Texas, making findings that the proposed Tourism Public Improvement District and the proposed public improvements will promote the interests of the City and confer a special benefit on a definable part of the City; providing findings with respect to the nature and estimated cost of the proposed public improvements, the boundaries of the district; authorizing the creation of the district and directing the City Secretary or other officer to publish notice of the creation; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1107

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 Holland.

Motion carried.

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

NAYS (0): None

B. ID 24-176 Hold a public hearing inviting citizens to comment on the 2024 Action Plan for the 2023-2027 Consolidated Plan for Housing and Community Development.

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.

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

C. ID 24-1103 Conduct the second of two public hearings and consider adoption of an ordinance of the City of Denton approving a strategic partnership agreement between the City of Denton and Denton County Municipal Utility District No. 16; authorizing and directing the Mayor of the City to execute the strategic partnership agreement; and providing an effective date.

ASSIGNED ORDINANCE NO. 24-1103

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 Jester moved to adopt the item as presented. Motion seconded by Council Member Beck.

Motion carried.

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

NAYS (0): None

D. S23-0006b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a request for a Specific Use Permit (SUP) to allow for a Veterinary Clinic use on approximately 2 acres of land, generally located on the south side of Teasley Lane, approximately 525 feet west of Pennsylvania 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 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval. Motion for approval by Commissioner Villarreal and second by Commissioner Thaggard (S23-0006b, Wright Denton Teasley, Ashley Ekstedt)

ASSIGNED ORDINANCE NO. S23-0006b

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 with no callers in the queue, the public hearing was closed.

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

Motion carried.

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

NAYS (0): None

E. PD24-0005a 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 on approximately 52.589 acres of land from the Residential 6 (R6) District to an Overlay Planned Development - Light Industrial (PD-LI) District. The site is generally located north of Blagg Road, approximately 800 feet east of Geesling Road, in the City of Denton, Texas; adopting an amendment to the City's official zoning map; providing a penalty in the maximum amount of $2,000.00 for violations thereof; providing for severability and an effective date. (PD24-0005a, Walker Geesling, Mia Hines). STAFF REQUESTED THIS PUBLIC HEARING BE CONTINUED TO A DATE CERTAIN OF JULY 16, 2024.

The public hearing was opened and continued to a date certain of July 16, 2024.

F. PDA23-0005a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a Planned Development Amendment for approximately 4.291 acres out of Planned Development 139, generally located on the southeast corner of Vintage Boulevard and I-35W, 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 savings and severability clauses and an effective date. The Planning and Zoning Commission voted 5-0 to recommend approval of the proposed amendment. Motion for approval by Commission Ellis and second by Commissioner Villarreal. (PDA23-0005a, Gateway of Denton, Mia Hines)

ASSIGNED ORDINANCE NO. PDA23-0005a

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 Jester moved to adopt the item as presented. Motion seconded by Council Member Beck.

Motion carried.

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

NAYS (0): None

G. S24-0002a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a request by Homeyer Engineering for a Specific Use Permit (2003-325) Amendment, including, but not limited to, modification to the site plan to reduce drive-through banking lanes and replace with additional parking. The 0.89-acre property is generally located approximately one block south of Teasley Lane and to the west of FM 2181/Teasley Lane, 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 for severability; and establishing an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval. Motion for approval by Commissioner Pruett and second by Commissioner Thaggard. (S24-0002a, DATCU, Erin Stanley) THE APPLICANT REQUESTED TO POSTPONE THIS ITEM TO THE JULY 23, 2024 MEETING.

The public hearing was postponed to a date certain of July 23, 2024.

H. MPA24-0001b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a Comprehensive Plan Amendment to modify the 2022 Mobility Plan, including adding a Major Collector roadway functional classification to the Thoroughfare Plan and amending the Thoroughfare Plan Map to change the alignment of the 380 Connector and to extend East Windsor Drive across State Loop 288. The general area is located at the current terminus of East Windsor Drive, approximately 700 feet west of State Loop 288, south of Kings Row, and extending approximately 4,800 feet toward the east, in the City of Denton, Denton County, Texas; adopting an amendment to the City's official mobility plan; 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 5-2 to recommend approval of the request. Motion for approval by

Commissioner Pruett and seconded by Commissioner Thaggard. (MPA24-0001b, East Windsor Extension, Julie Wyatt)
ASSIGNED ORDINANCE NO. MPA24-0001b

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

Motion carried.

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

NAYS (0): None

6. ITEMS FOR INDIVIDUAL CONSIDERATION - CONSIDERATION OF THE USE OF EMINENT DOMAIN TO CONDEMN REAL PROPERTY INTERESTS

A. ID 24-734 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (I) permanent water and wastewater easements, (II) permanent access easement (III) lift station easement and (IV) temporary construction easements, generally located along Interstate 35 North, Loop 288 to Ganzer Road, situated in the BBB & C RR Co Survey, Abstract No. 141, Ignacio Del-Los-Santos Coy Survey, Abstract No. 212, S. Johnson Survey, Abstract No. 683, Alexander White Survey, Abstract No. 1406, Nathan Wade Survey, Abstract No. 1407, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "property interests"); authorizing the City Manager and City Attorney, to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-734

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.

Following discussion, Mayor Pro Tem Meltzer moved:

"I move that the City of Denton, after having made the offers required by State Law, use the power of eminent domain, if needed, to acquire various permanent water and wastewater easements, permanent access easement, lift station easement and temporary construction easements, located generally along Interstate 35 East North, Loop 288 to Ganzer Road situated in the BBB & CRR Co. Survey, Abstract No. 141, Ignacio De-Los-Santos Coy Survey, Abstract No. 212, S. Johnson Survey, Abstract No. 683, Alexander White Survey, Abstract No. 1406, Nathan Wade Survey, Abstract No. 1407, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" to the ordinance now under consideration and on the screen to be displayed to the audience, all of which are for a valid public use necessary to relocate, construct and install water and wastewater infrastructure as part of the TXDOT I-35 Utility Relocations Project needed to serve the public and citizens of the City of Denton."

Each page of Exhibit A of the proposed ordinance was shown on screen prior to a second to the motion being called.

Motion seconded by Council Member Holland.

Motion carried.

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

NAYS (0): None

7. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ID 24-1129 Consider adoption of an ordinance of the City of Denton amending Section 17-166 of the Code of Ordinances relating to requiring air conditioning in rental units; providing a repealer clause; providing a severability clause; providing a savings clause; providing for a penalty; providing for codification; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1129

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

The item was presented and discussion followed.

Citizen comments received are noted on Exhibit A.

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

Motion carried.

AYES (5): Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Jester, and McGee

NAYS (2): Mayor Hudspeth and Council Member Holland

B. ID 24-1221 Consider adoption of an ordinance of the City of Denton amending the provisions of Ch. 14 of the Code of Ordinances by adding Article IX to Ch. 14, titled Community Associations and Window Air Conditioning Units; providing for a severability clause; providing for a savings clause; providing for a penalty; providing for codification; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1221

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

The item was presented and discussion followed.

Citizen comments received are noted on Exhibit A.

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

Before the vote was called, Council Member Jester moved to amend the item and adopted as amended. Motion seconded by Council Member McGee.

Motion failed.

AYES (2): Mayor Hudspeth and Council Member Jester.

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

Mayor Pro Tem Member Meltzer moved a Call to Question. Motion seconded by Council Member Beck.

Motion carried.

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

NAYS (0): None

Motion to Adopt was on the floor for consideration as initially moved by Council Member Beck and seconded by Mayor Pro Tem Meltzer.

Motion carried.

AYES (4): Mayor Pro Tem Meltzer and Council Members Beck, Byrd, and McGee

NAYS (2): Mayor Hudspeth, Council Members Holland and Jester.

C. ID 24-1149 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 Archer Western Construction, LLC, for the Ray Roberts Water Treatment Plant Capacity Re-Rate and Performance Improvements Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8141-2 - awarded to Archer Western Construction, LLC, in the not-to-exceed amount of $43,994,500.00). The Public Utilities Board recommends approval (6-0).
ASSIGNED ORDINANCE NO. 24-1149

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.

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

Motion carried.

AYES (7): Mayor Hudspeth, Mayor Pro Tem Meltzer and Council Members Beck, Byrd, Holland, Jester, and McGee
NAYS (0): None

8. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 10:32 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

LAUREN THODEN
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: July 6, 2024

June 18, 2024 City Council Regular Meeting - EXHIBIT A							
Name	**Last**	**Address**	**City**	**Agenda Item**	**Position**	**Method**	**Comments**
Lisa	McEntire			24-491		White Card	
Jeffrey	Watson	1119 Kings Row	Denton	24-1107	Support	White Card	
Katelyn	Dempsey	1907 W. Oak St.	Denton	24-1107	Support	White Card	
Megan	Coy	1907 West Oak St.	Denton	24-1107	Support	White Card	
Chris	Ives	1907 West Oak St.	Denton	24-1107	Support	White Card	
Reggie	Woolridge	3100 Town Center Trail	Denton	24-1107	Support	White Card	
Emily	Wright	2113 Fairmont Park Dr.	Denton	24-1107	Support	White Card	
Jay	Darsie	3110 Colorado Blvd.	Denton	24-1107	Support	White Card	
Jennifer	Sawyer	3232 N. Locust #414	Denton	24-1107	Support	White Card	
James	Crowell	3100 Town Center Trail	Denton	24-1107	Support	White Card	
Sunnye	Knight	4509 Chapman St.	The Colony	24-1107	Support	White Card	
Kendall	Taylor	1221 West Oak St.	Denton	24-1107	Support	White Card	
Jayne	Howell	1720 Westminster	Denton	24-176	Opposed	PH	
Charles	Lee	624 W University Dr.,	Denton	24-1129	Opposed	IC	
Charles	Lee	624 W University Dr.,	Denton	24-1221	Opposed	IC	
Debra	Mills	3907 Whitetail Dr.	Denton	MPA24-0001b	Opposed	PH	
Charles	Lee	624 W University Dr.,	Denton	MPA24-0001b	Opposed	PH	
Reece	Flanagan	219 N. 30th St.	Waco		Support	PH	Applicant
Charles	Lee	624 W University Dr.,	Denton	24-1103		PH	
Erin	Carter	401 N. Elm St.	Denton	24-1107		PH	
Mat	Pruneda	1213 Dover	Denton	24-491	Support	CA	
Keith	Shugard	1326 Princeton Ct.	Denton	24-491		CA	
Charles	Lee	624 W University Dr.,	Denton	24-491	Support	CA	
Charles	Lee	624 W University Dr.,	Denton		Opposed		
Mat	Pruneda	1213 Dover	Denton			Open Mic	
Jeff	Pritts	Denton Hotels		24-1107	Support	PH	TPID - Green Card