CITY OF DENTON CITY COUNCIL MINUTES
July 23, 2024

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, July 23, 2024, at 2:07 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 Vicki Byrd (arrived at 2:51 p.m.), Brian Beck (VIRTUAL), Joe Holland, and Jill Jester

ABSENT: Council Member Brandon Chase McGee

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

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.**
   • Pulled For Individual Consideration: o Mayor Hudspeth: Item 4. B 24-498

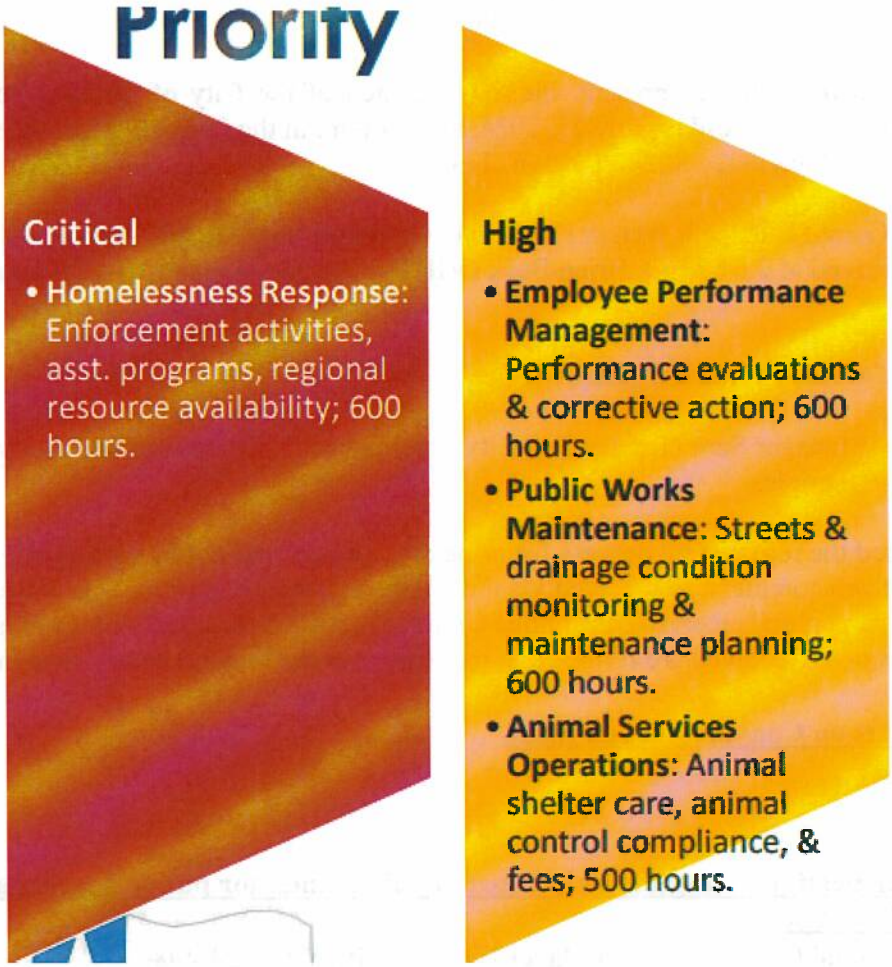
WORK SESSION

3. **Work Session Reports**

A. ID 24-1359 Receive a report, hold a discussion, and give staff direction regarding the Fiscal Year 2024-25 Annual Internal Audit Plan. [Estimated Presentation/Discussion Time: 15 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to focus on the critical, high, and fire department overtime categories and the following follow-up reviews as presented.


Priority
Critical
• Homelessness Response: Enforcement activities, asst. programs, regional resource availability; 600 hours.
High
• Employee Performance Management: Performance evaluations & corrective action; 600 hours.
• Public Works Maintenance: Streets & drainage condition monitoring & maintenance planning; 600 hours.
• Animal Services Operations: Animal shelter care, animal control compliance, & fees; 500 hours.



Second Review	FY24-25
Grants Mgmt.	WW Sys. Ops: Phases 1 & 2
CIP Phase 1 & 3	Energy Portfolio Management
Water Sys. Ops: Phases 2 & 3	Body-Worn Camera Usage
Meter Reading & Billing	Network Management: Phases 1 & 2
	Warehouse Inventory Mgmt.
	Recreation Facility Opreations

B. ID 24-226 Receive a report, hold a discussion, and give staff direction regarding the Fiscal Year 2024-25 preliminary utility forecasts for Solid Waste, Water, Wastewater/Drainage, Electric, and Customer Service. [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 24-1193 Receive a report, hold a discussion, and give staff direction regarding the nominations of Council members to standing and ad hoc boards, committees, and other internal/external groups, and the associated nomination and appointment processes. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was:

- Committee on the Environment – Mayor nominees are Council Members Beck, McGee, and Holland
- Mobility Committee – Nominees are Council Members Byrd, Beck, and Holland

- Denton County Behavioral Health Leadership Team – Nominee is Mayor Hudspeth
- Denton County Housing and Homelessness Leadership Team – Nominee is Mayor Hudspeth
- Denton County Workforce Success Leadership Team – Nominee is Council Member Byrd
- Denton Community Shelter (Loop 288) Advisory Board – Nominee is Council Member Beck

There was no consensus for the following as there were more nominees than positions available:

- Community Partnership Committee has three seats available for appointment – Nominations were made for Council Members Byrd and Holland for the positions that also sit on the Discover Denton Advisory Board, while nominations for the third open seat were made for Council Members Jester and McGee
- Economic Development Partnership Board/Tax Increment Reinvestment Zone Number 2 Board has one seat available for appointment – Nominations included Mayor Pro Tem Meltzer and Council Member Jester
- Tax Increment Reinvestment Zone Number 1 Board has one seat available for appointment – Nominations included Council Members Beck and Jester

1. Closed Meeting:

CLOSED MEETING

Council Member Brandon Chase McGee arrived virtually at 4:38 p.m.

1. The City Council convened into a Closed Meeting at 4:38 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

A. ID 24-1368 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in the J. White Survey, Abstract 1433, in the City of Denton, Denton County, Texas, located off of Colorado Boulevard, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.
DELIBERATED

B. ID 24-1371 Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in the H. Sisco Survey, Abstract 1184, in the City of Denton, Denton County, Texas, located near the intersection of McKinney Street and North Bell Avenue, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.
DELIBERATED

C. ID 24-1484 Deliberations Regarding Real Property - Under Texas Government Code, Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071. Discuss, deliberate, and receive information from staff and provide staff with direction pertaining to the potential purchase of real property interests located in the J. Roger, Abstract No 1084, within the City of Denton, Denton County, Texas, generally located along the Hickory Creek Road. The potential purchases are related to the City's Hickory Creek Road Phase 3 Project to construct improvements to Hickory Creek Road (from Riverpass Drive to FM 1830). Consult with the City's attorneys on the legal status, strategy and options for resolution of litigation in Cause No. PR-2022-00917-A Case Style: City of Denton v. Walter E. Leatherwood and Betty A. Leatherwood, Individually and as Trustees of the Walter E. Leatherwood and Betty A. Leatherwood Living Trust pending in the Denton County Probate 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 was called at 4:11 p.m., started at 4:38 p.m. and ended at 6:05 p.m. No votes or actions were taken during the closed meeting.

SPECIAL CALLED MEETING

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Special Called Meeting on Tuesday, July 23. 2024, at 6:05 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 (VIRTUAL), Vicki Byrd, Joe Holland, Jill Jester and Brandon Chase McGee (VIRTUAL)

ABSENT: None

Also present were City Manager Sara Hensley, City Attorney Mack Reinwand, and Assistant City Attorney Benjamin Samples

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.

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4. A-L. During the Work Session held earlier in the day, Item 4. B was pulled for Individual Consideration by Mayor Hudspeth.

Council Member Holland moved to adopt the Consent Agenda, now consisting of Items 4. A, C-L. Motion seconded by Mayor Pro Tem Meltzer.

Motion carried.

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

NAYS (0): None

ABSENT (0): None

A. ID 24-431 Consider approval of the minutes of the July 16, 2024 Regular Meeting.
APPROVED

C. ID 24-1400 Consider approval of a resolution of the City of Denton providing the July 8, 2024 meeting absence by Public Utilities Board Member Lee Riback be excused; and providing an effective date.
ASSIGNED RESOLUTION NO. 24-1400

D. ID 24-1399 Consider approval of a resolution of the City of Denton appointing a Primary Member and Alternate Member as official voting representatives to the North Central Texas Council of Governments' Regional Transportation Council; and declaring an effective date.
ASSIGNED RESOLUTION NO. 24-1399

E. ID 24-177 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to sign and submit to the Department of Housing and Urban Development a 2024 Action Plan for Housing and Community Development with appropriate certifications, as authorized and required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, as amended; authorizing the Director of Community Services, or designee, to sign releases of liens and subordination agreements upon certain conditions; and providing for an effective date.
ASSIGNED ORDINANCE NO. 24-177

F. ID 24-1457 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a temporary license to use agreement between the City and Denton County Transit Authority (DCTA) to temporarily allow DCTA to construct and maintain bus stops and other amenities on City's right of way for 180 days from the date of execution of this ordinance; and providing an effective date.
ASSIGNED ORDINANCE NO. 24-1457

G. ID 24-1392 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 Weatherproofing Services L.L.C., for the maintenance and installation of roofing, gutters,

and downspouts for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8501 - awarded to Weatherproofing Services L.L.C., 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 $4,462,500.00).

ASSIGNED ORDINANCE NO. 24-1392

H. ID 24-1393 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 Reliance Environmental Truck Sales LLC dba Reliance Truck & Equipment, through the Buy Board Cooperative Purchasing Network Contract # 686-22, for the purchase and repair of heavy-duty vehicles and equipment for various departments for the Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8591 - awarded to Reliance Environmental Truck Sales LLC dba Reliance Truck & Equipment, 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 $4,013,706.00).

ASSIGNED ORDINANCE NO. 24-1393

I. ID 24-1394 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 Texan Waste Equipment, Inc., dba Heil of Texas, through the Buy Board Cooperative Purchasing Network Contract # 686-22, for the purchase, service, and repairs of sewer equipment, sweepers, brush handling trucks, and similar equipment for the Fleet Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8600 - awarded to Texan Waste Equipment, Inc., dba Heil of Texas, 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 $4,059,173.00).

ASSIGNED ORDINANCE NO. 24-1394

J. ID 24-1406 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 QRF Combat LLC dba Roe Tactical LLC, through the Buy Board Cooperative Purchasing Network Contract # 698-23, for the acquisition of helmets and communications gear for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8578 - awarded to QRF Combat LLC dba Roe Tactical LLC, in the not-to-exceed amount of $65,003.07).

ASSIGNED ORDINANCE NO. 24-1406

K. ID 24-1407 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 the renovation at the Water Works Park for the Parks and Recreation Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8461 - Professional Services Agreement for renovation services awarded to Parkhill, Smith & Cooper, Inc., in the not-to-exceed amount of $1,897,385.00).

ASSIGNED ORDINANCE NO. 24-1407

L. ID 24-1348 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 Signify North America Corporation, for the Amendment No. 1 to Lifecycle Services Agreement for the maintenance and support of Interact City Software currently used by 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 8534 - awarded to Signify North America Corporation, in the five (5) year not-to-exceed amount of $97,500.00).
ASSIGNED ORDINANCE NO. 24-1348

B. ID 24-498 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Charter Review Committee and Committee on Persons with Disabilities.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

Mayor Hudspeth motioned to appoint Brian Danhof to the Charter Review Committee and Chelsie Clark to Committee on Persons with Disabilities. Motion seconded by Mayor Pro Tem Meltzer.

Motion carried.

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

NAYS (0): None

ABSENT (0): None

B. ID 24-498 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Charter Review Committee and Committee on Persons with Disabilities.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT B

Council Member Beck motioned to appoint Gabriel Kirkpatrick to Charter Review Committee. Motion seconded by Council Member McGee.

Motion carried.

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

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

ABSENT (0): None

Recess was called at 6:23 p.m. Meeting reconvened at 6:31 p.m.

5. PUBLIC HEARINGS

A. CA24-0002b Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting the Southeast Denton Area Plan and amending the Denton 2040 Comprehensive Plan. The Southeast Denton Area Plan has an approximate boundary line of 800 feet north of East McKinney Street, 900 feet east of South Woodrow Lane, 700 feet south of Shady Oaks Drive, Dallas Drive to the south, and South Bell Avenue to the west, encompassing approximately 975 acres in the City of Denton, Denton County, Texas; and providing an effective date. The Planning and Zoning Commission recommended approval of the proposal (5-0). The motion was made by Commissioner Villareal and seconded by Commissioner Cole. (CA24-0002b, Southeast Denton Area Plan, Julie Wyatt and Mia Hines)
ASSIGNED ORDINANCE NO. CA24-0002b

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

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member Brandon Chase McGee

B. S24-0002b Hold a public hearing and consider adopting an ordinance of the City of Denton, Texas, approving a Specific Use Permit (2003-325) Amendment to allow for site modifications on approximately 0.89 acres of land, 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 an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval. Motion for approval was made by Commissioner Pruett and second by Commissioner Thaggard. (S24-0002b, DATCU, Erin Stanley) THIS HEARING WAS OPENED AND POSTPONED AT THE JUNE 18, 2024 CITY COUNCIL MEETING.
ASSIGNED ORDINANCE NO. S24-0002b

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

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

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member Brandon Chase McGee

C. DCA23-0002g Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code, regarding short-term rental use regulations and definitions, specifically amendments to Table 5.2-A- Table of Allowed Uses, Subsection 5.3.1 Use-Specific Standards - Generally, Subsection 5.3.5: Commercial Use-Specific Standards, Table 7.9-I Parking, and Section 9.2: Definitions; 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 [5-0] to recommend approval of the request. Motion for approval was made by Commissioner Villareal and seconded by Commissioner Pruett. (DCA23-0002g, Short-Term Rentals, Angie Manglaris)

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, Mayor Pro Tem Meltzer moved to adopt the item as presented with 60 days for implementation. Motion seconded by Council Member Byrd.

Motion tied.

AYES (3): Mayor Pro Tem Meltzer, and Council Members Beck and Byrd

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

ABSENT (1): Council Member Brandon Chase McGee

D. DCA24-0003a Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Subchapter 1; amendments include but are not limited to: Subsection 1.3.4: Conflicts with Other Ordinances and Criteria Manuals; providing for a penalty in the maximum amount of $2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval was made by Commissioner Villarreal and seconded by Commissioner Cole. (DCA24-0003a, Conflicts with Other Ordinances, Angie Manglaris)
ASSIGNED ORDINANCE NO. DCA24-0003a

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

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

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member Brandon Chase McGee

6. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 9:23 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

LAUREN THODEN
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: AUGUST 20, 2024

CITY OF DENTON
DENTON, TEXAS

July 23, 2024 City Council Regular Meeting - EXHIBIT A							
Name	**Last**	**Address**	**City**	**Agenda Item**	**Position**	**Method**	**Comments**
Tammy	Bradley	511 Robertson St.	Denton	CA24-0002b	Opposed	Public Hearing	Blue Card
Alexandria	Valdez		Denton	CA24-0002b	Support	Public Hearing	Blue Card
Lisa	McEntire	909 Radecke Road	Krum	DCA23-0002g		Public Hearing	Blue Card
Kelly	Peace	2701 Wind River Lane	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Carissa	Acker	204 S Carroll Blvd.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Liz	Spoonts	607 E. College St.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Jayne	Howell	710 Westminester	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Beth	Caudill	1400 Dallas Dr.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Rob	Rayner	607 S. Locust #101	Denton	DCA23-0002g		Public Hearing	Blue Card
Barbara	Russell	1324 Heather Ln.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Taylor	Boyle	2215 Wiltonwood St.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Varina	Lavelle	3109 Broken Bow	Denton	DCA23-0002g		Public Hearing	Blue Card
Enrique	Noriega	812 Ashwood Pl.	Denton	DCA23-0002g	Opposed	Public Hearing	Blue Card
Linnie	McAdams	1426 Kendolph Dr.	Denton	DCA23-0002g	Support	Public Hearing	Blue Card
Pam	Spooner	513 Chateau	Denton	DCA23-0002g		Public Hearing	Blue Card
Bryan	Dickson	301 N. Locust	Denton	DCA23-0002g		Public Hearing	Blue Card
Rob	Rayner	607 S. Locust #101	Denton	CA24-0002b		Public Hearing	Blue Card
Soroya	LaMastra	8440 LaFontaine Dr.	North Richland Hills	DCA23-0002g	Opposed	Public Hearing	White card
Frances	Punch	2002 Wisteria St.	Denton	DCA23-0002g	Support	Public Hearing	White card