

CITY OF DENTON CITY COUNCIL MINUTES
August 6, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, August 6, 2019, at 12:02 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman, City Attorney Aaron Leal, and Deputy City Manager Mario Canizares

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None.

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

- Consent Item 4.I (ID 19-1829) - Removed from consideration at staff's request
- Consent Item 4.J (ID 19-1844) - Removed from consideration at staff's request

3. Work Session Reports

- A. ID 19-1879 Receive a report, hold a discussion, and give staff direction regarding the City's proposed agreement with the Denton Parks Foundation.

The presentation was made and discussion followed.

Following discussion, staff was directed to pursue a Memorandum of Understanding with the Denton Parks Foundation.

- B. ID 19-1781 Receive a report, hold a discussion, and give staff direction regarding the prohibition of parking on the north side of Gregg Street between Fulton Street and Denton Street.

The presentation was made and discussion followed.

Following discussion, staff was directed to prepare a presentation for a future meeting outlining staff's recommendations.

- C. ID 19-1378 Receive a report and hold a discussion on staffing levels, departmental resources, and recruitment and training efforts in the Denton Police Department.

The presentation was made and discussion followed.

Following discussion, there was no direction provided as the item was only a quarterly report.

- D. ID 19-1881 Receive a report, hold a discussion, and give staff direction regarding the 2019 Bond Program.

The presentation was made and discussion followed.

The meeting was recessed for a short break at 1:47 p.m. and reconvened at 1:54 p.m.

Following discussion, staff was directed to prepare a presentation for the August 13th meeting to include input received during the public hearing scheduled during the Special Meeting being held later in the evening.

- E. ID 19-1684 Receive a report, hold a discussion, and give staff direction regarding research on tiny house villages for individuals experiencing homelessness and the proposed Denton Basic Services Center project addressed during Presentations from Members of the Public at the August 7, 2018 City Council meeting and June 18, 2019 City Council meeting.

The presentation was made and discussion followed.

The meeting was recessed for a short break at 2:46 p.m. and reconvened at 2:54 p.m.

Following discussion, staff was directed to continue with dialogue and present any opportunities identified at a future meeting.

CLOSED MEETING - NOT HELD

- 1. The Closed Meeting was not held. Therefore, there was no deliberation of the following items.

- A. ID 19-1755 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the status, strategy, and potential resolution of litigation styled, Adolfo Fabela Rios v. City of Denton, Cause No. 17-6532-16, currently pending in the 16th District Court of 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.

NOT DELIBERATED

- B. ID 19-1800 Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086. Deliberate and discuss competitive information regarding public power operational and financial matters pertaining to the purchases and risks of wholesale energy supply pertaining to the proposed electric budget.
NOT DELIBERATED

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, August 6, 2019, at 6:33 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor, and Paul Meltzer

ABSENT: None

Also present were City Manager Todd Hileman and City Attorney Aaron Leal

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. PROCLAMATIONS/PRESENTATIONS

- A. ID 19-1757 Summer Youth Job Program 2019 - ISSUED
- B. ID 19-1758 National Health Center Week - ISSUED

3. PRESENTATION FROM MEMBERS OF THE PUBLIC

- A. Review of procedures for addressing the City Council.
- B. Receive Scheduled Citizen Reports from Members of the Public.
- A. ID 19-1775 Brandi Price, 627 Bernard Street, regarding the Citizen's Climate Lobby's bipartisan climate change fee and dividend plan to stop carbon pollution - PRESENTED
- B. ID 19-1784 Craig Clifton, 407 Normal Street, regarding the aquifer under the SRO being built by Park 7 at Normal - Bryan - Scripture Streets - PRESENTED

C. Additional Citizen Reports (Open Microphone)

- Eva Grecco, 802 W. Oak Street - stated a lot of roadwork in the City with roads being down and buses being rerouted; problems being experienced in getting transportation
- Lesly Gutierrez, 902 Vine Street - stated she is a member of EYES OUT Coalition and provided information on its purpose, actions by white supremacy and call for service in several areas

4. **CONSENT AGENDA**

The consent agenda consisted of Items 4.A-K. Items 4.I (ID 19-1829) and 4.J (ID 1844) were pulled from consideration at staff's request.

Mayor Pro Tem Hudspeth moved to adopt the Consent Agenda, now consisting of items 4.A-H, and 4.K. Motion seconded by Council Member Meltzer. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

- A. ID 19-1449 An ordinance of the City of Denton authorizing the City Manager, or his designee, to execute a Memorandum of Understanding by and between United Way of Denton County, Inc. and the City of Denton and providing for the expenditure of funds for Homelessness initiatives in the amount of \$80,000 for partial funding for staffing of the program in furtherance of the coordinated system of homeless assistance programs; authorizing the expenditure of funds therefor; and providing an effective date.

ASSIGNED ORDINANCE NO. 19-1449

- B. ID 19-1715 Consider adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, rejecting any and all competitive bids under IFB 7013 for the Lake Lewisville Water Treatment Plant (LLWTP) Phase II rehabilitation and modification of the Lake Lewisville raw water structures and installation of dual chemical feed systems at Lake Lewisville and Lake Ray Roberts; and providing an effective date (IFB 7013). The Public Utilities Board recommends approval (5-0).

ASSIGNED ORDINANCE NO. 19-1715

- C. ID 19-1594 Consider adoption of an ordinance partially releasing, abandoning, and vacating a 165 square foot tract of an existing 420 square foot guy wire and anchor easement granted to the City of Denton by Bob E. Tripp on January 20, 1976, and recorded in Volume 771 Page 703 in the Deed Records of Denton County, Texas; and fully releasing, abandoning, and vacating (I) a 0.175 acre public access easement granted to the City of Denton by McKamy Development, Ltd., a Texas limited partnership ("McKamy Development") on August 28, 2002, recorded as Instrument No. 2003-60472 in the Real Property Records of Denton County, Texas; (II) a 0.175 acre public access easement granted to the City of Denton

by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60473 in the Real Property Records of Denton County, Texas; (III) a 0.406 acre public drainage easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60471 in the Real Property Records of Denton County, Texas; and (IV) a 0.283 acre public drainage easement granted to the City of Denton by McKamy Development on August 28, 2002, recorded as Instrument No. 2003-60470 in the Real Property Records of Denton County, Texas; providing for severability and an effective date. (Evers way Addition - guy wire easement, access easements and drainage easements abandonments)

ASSIGNED ORDINANCE NO. 19-1594

- D. ID 19-1756 Consider adoption of an ordinance approving a Compromise Settlement Agreement implementing the terms of a claim settlement in litigation styled Adolfo Fabela Rios v. City of Denton, Cause No. 17-6532-16, pending in the 16th Judicial District Court of Denton County Texas, as discussed in closed session; and further approving the expenditure of funds therefor; and directing the City Manager, or his designee, and the City's Attorneys to effectuate as necessary and appropriate the terms of the Compromise Settlement Agreement; and declaring an effective date.

ASSIGNED ORDINANCE NO. 19-1756

- E. ID 19-1465 Consider the adoption of an ordinance of the City of Denton prohibiting on-street parking along the north side of Gregg Street between Fulton Street and Denton Street; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date. Traffic Safety Commission recommends 5-0.

ASSIGNED ORDINANCE NO. 19-1465

- F. ID 19-1777 Consider adoption of an ordinance of the City of Denton amending Chapter 18 of the Code of Ordinances by modifying Section 18-210 Subsection A12 to update the school zone limits on Pockrus Page Road for Pecan Creek Elementary; providing a repealer clause; providing a savings clause; providing for a penalty not to exceed \$200 for violations of this ordinance; providing that violations of this ordinance shall be governed by Chapter 18 of the Code of Ordinances of the City of Denton; and providing for an effective date.

ASSIGNED ORDINANCE NO. 19-1777

- G. ID 19-1790 Consider approval of the minutes of July 16 and July 23, 2019.

- H. ID 19-1817 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 Bibliotheca, LLC, for the purchase of CloudLibrary digital services for downloadable eBooks and Audiobooks for the Denton Public Library, 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; and providing an effective date. (File 7121 - awarded to Bibliotheca, LLC in the three (3) year not-to-exceed amount of \$342,142).

ASSIGNED ORDINANCE NO. 19-1817

- K. ID 19-1847 Consider approval of a resolution of the City of Denton, Texas dissolving the Special Citizens Bond Advisory Committee for the Proposed 2019 bond election; ending appointments to the Committee; and declaring an effective date.

ASSIGNED RESOLUTION NO. 19-1847

ITEMS PULLED FROM CONSIDERATION

- I. ID 19-1829 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety, State of Texas, authorizing the Denton Police Department to perform uniform commercial vehicle weight inspections and enforcement for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

As announced earlier in the meeting, the item was pulled from consideration at staff's request.

- J. ID 19-1844 Consider adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Texas Department of Public Safety authorizing the Denton Police Department to perform uniform commercial vehicle weight inspections and enforcement for the period of August 1, 2019 through August 1, 2021; and providing an effective date.

As announced earlier in the meeting, the item was pulled from consideration at staff's request.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 19-1060 Consider adoption of an ordinance by the City of Denton, a Texas home-rule municipal corporation authorizing the City Manager, or his designee, to execute an Interlocal Agreement with the University of North Texas to define the duties and obligations involved with the coordination of public safety related efforts; and providing an effective date.

ASSIGNED ORDINANCE NO. 19-1060

Council Members Armintor and Meltzer had a conflict of interest and left the Council Chambers.

The presentation was made and discussion followed.

Council Member Ryan moved to approve the item as presented. Motion seconded by Mayor Pro Tem Hudspeth. Motion carried.

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, and Ryan

NAYS (0): None

ABSTAIN (2): Council Members Armintor and Meltzer

- B. ID 19-1764 Consider nominations/appointments to the City's Boards, Commissions, and Committees: Animal Shelter Advisory Committee, Board of Ethics, Committee on Persons with Disabilities, Community Development Advisory Committee, Human Services Advisory Committee, Library Board, Parks, Recreation & Beautification Board, Planning & Zoning Commission, Public Art Committee, Public Utilities Board, Traffic Safety Commission, and Zoning Board of Adjustment.

Mayor Watts pulled the proposed appointment of David Zoltner (Board of Ethics) for individual vote.

Council Member Ryan moved to appoint the following as noted:

BOARD/COMMITTEE/ COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	MEMBER LAST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Animal Shelter Advisory Committee	7	Watts	Tiffany	Thomson	September 1, 2019 through August 30, 2021	Reappointment (Qualif.: 2/City Official)
Board of Ethics - <u>Alternate</u>	ALL - 3	Davis	Robert	Swanbeck	UNEXPIRED September 1, 2018 through August 30, 2020	New (Pref.: 0/None)
Committee on Persons with Disabilities	6	Meltzer	Sara (Sally)	Austin	UNEXPIRED September 1, 2018 through August 30, 2020	New
Community Development Advisory Committee	2	Briggs	Jane	Piper-Lunt	September 1, 2019 through August 30, 2021	Reappointment
Human Services Advisory Committee	3	Davis	Patricia	Barrington	September 1, 2019 through August 30, 2021	New
Human Services Advisory Committee	5	Armintor	Amy	Morgan	September 1, 2019 through August 30, 2021	Reappointment
Library Board	2	Briggs	Kate	Margolis	September 1, 2019 through August 30, 2021	Reappointment

BOARD/COMMITTEE/ COMMISSION	COUNCIL PLACE	NOMINATING CCM	MEMBER FIRST NAME	MEMBER LAST NAME	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Library Board	6	Meltzer	Benjamin	Huttash	September 1, 2019 through August 30, 2021	New
Parks, Recreation and Beautification Board	6	Meltzer	James	Emerich	September 1, 2019 through August 30, 2021	New
Parks, Recreation and Beautification Board	7	Watts	Frances	Punch	September 1, 2019 through August 30, 2021	Reappointment
Planning & Zoning Commission	2	Briggs	Larry	Beck	September 1, 2019 through August 30, 2021	Reappointment
Planning & Zoning Commission	7	Watts	Tim	Smith	September 1, 2019 through August 30, 2021	Reappointment
Public Art Committee	6	Meltzer	Ed	Steele	September 1, 2019 through August 30, 2021	Reappointment
Public Utilities Board	5	Armintor	Susan	Parker	September 1, 2019 through August 30, 2023	Reappointment
Traffic Safety Commission	3	Davis	Jeff	King	September 1, 2019 through August 30, 2021	Reappointment
Zoning Board of Adjustment	3	Davis	David	Higgins	September 1, 2019 through August 30, 2021	Reappointment

Motion seconded by Council Member Davis. Motion carried.

AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

Discussion followed on the proposed appointment of David Zoltner.

Mayor Pro Tem Hudspeth moved to deny the appointment of David Zoltner to the Board of Ethics. Motion seconded by Council Member Davis. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Davis and Ryan

NAYS (3): Council Members Briggs, Armintor, and Meltzer

The meeting was recessed for a short break at 8:03 p.m. and reconvened at 8:10 p.m.

6. PUBLIC HEARINGS

- A. ID 19-1832 Hold a public hearing concerning the proposed \$221,519,000 Bond Election to be held on November 5, 2019, and associated project recommendations.

The presentation was made and no discussion followed.

With the public hearing opened, the following spoke on the item:

- Perri Dyer, 4800 Snowhill Court, Argyle - in opposition to the item
- Willie Hudspeth, 623 Newton - in opposition to the item
- Jennifer Lane, 1526 Willowood Street - in support of the item

With no other speakers coming forward, the public hearing was closed. No action was taken on the item as it was only a public hearing.

- B. DCA18-0009t Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, approving a city-wide rezoning, to coincide with zoning regulations adopted under the newly revised Denton Development Code; establishing a penalty in the maximum amount of \$2000.00 for violations thereof; providing for severability; and establishing an effective date. STAFF IS REQUESTING THAT THIS ITEM BE POSTPONED INDEFINITELY. (DCA18-0009t, DDC Update, Ron Menguita)

The item was read into the record. Staff requested the item be postponed until September 17th.

Council Member Ryan moved to postpone the item to the September 17th meeting with the public hearing open. Motion seconded by Council Member Briggs. Motion carried.

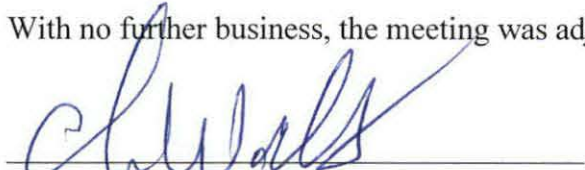
AYES (7): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Davis, Ryan, Armintor, and Meltzer

NAYS (0): None

7. CONCLUDING ITEMS

Council Members expressed items of interest, congratulatory remarks and provided general announcements. Staff to provide responsive information to those requests for information as part of the Friday Report process.

With no further business, the meeting was adjourned at 8:57 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



ROSA RIOS
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: August 20, 2019