

CORRECTED
CITY OF DENTON CITY COUNCIL MINUTES
October 22, 2019

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, October 22, 2019, at 1:01 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, Deb Armintor, and Paul Meltzer

ABSENT: Council Members Jesse Davis and John Ryan

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

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None.

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

- Consent Item 1.L (ID 19-2551) - Pulled for Individual Consideration. (Briggs)
- Consent Item 1.M (ID 19-2552) - Pulled for Individual Consideration. (Briggs)
- Consent Item 1.H (ID 19-2465) - Pulled for Individual Consideration. (Armintor)

3. Work Session Reports

- A. ID 19-1952 Receive a report, hold a discussion, and give staff direction regarding the Board of Ethics recommended amendments to the Ethics Ordinance.

The presentation was made and discussion followed.

Following discussion, staff was directed to gather and prepare recommendations from the Board of Ethics and have the City Attorney's Office review for presentation at a future meeting.

- B. ID 19-2239 Receive a report, hold a discussion and give staff direction regarding the Board of Ethics recommended amendments to the Board of Ethics Rules of Procedure Ordinance.

The presentation was made and discussion followed.

Following discussion, staff was directed to prepare an ordinance with recommended changes for presentation at a future meeting.

- C. ID 19-2038 Receive a report, hold a discussion, and give staff direction regarding an internal audit of the Police Overtime Process.

The presentation was made and discussion followed.

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

- D. ID 19-2088 Receive a report, hold a discussion, and give staff direction on pending City Council requests for information.

The item was presented and discussion followed.

Following discussion, results were as follows:

- Item 1 - Principals and Methods of the Integrated Pest Management system (Briggs)
 - Consensus to discuss at a future work session
- Item 2 - Comprehensive anti-discrimination ordinance (Davis)
 - Item not discussed
- Item 3 - Gas well safety and possible gas well ordinance inclusions (Briggs/Armintor)
 - Council consensus was given to schedule a future work session with no previous decisions or areas discussed to be part of the upcoming presentation.

CLOSED MEETING

Mayor Watts announced the Closed Meeting would be held after the Special Called 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, October 22, 2019, at 2:06 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, Deb Armintor, and Paul Meltzer

ABSENT: Council Members Jesse Davis and John Ryan

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

1. CONSENT AGENDA

The consent agenda consisted of Items 1.A-N. During the Work Session held earlier in the day, Item 1.L (ID 19-2551) was pulled for individual consideration by Council Member Briggs. Item 1.M (ID 19-2552) was pulled for individual consideration by Council Member Briggs. Item 1.H (ID 19-2465) was pulled for individual consideration by Council Member Armintor.

Council Member Briggs moved to adopt the Consent Agenda now consisting of items 1.A-G, I-K, and N. Motion seconded by Council Member Meltzer. Motion carried.

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Armintor, and Meltzer

NAYS (0): None

ABSENT (2): Council Members Davis and Ryan

A. ID 19-2330 Consider adoption of an ordinance of the City of Denton abandoning, releasing, and vacating a 0.091 acre tract of Carroll Boulevard right-of-way, partially out of property conveyed by the deed from William Crawford to the City of Denton, recorded in Volume 602, Page 456, Deed Records, Denton County, Texas and partially out of property conveyed by the deed from Kathleen P. Floyd to the City of Denton, recorded in Volume 567, Page 452, Deed Records, Denton County, Texas, all located in the R. Beaumont Survey, Abstract No. 31, within the City and County of Denton, Texas; providing a savings clause, and providing for severability and an effective date.

ASSIGNED ORDINANCE NO. 19-2330

B. ID 19-2386 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to sign a Medical Office Building Lease and First Amendment to Medical Office Building Lease by and between Epic Development, Inc. and the City of Denton for the use and occupancy of premises at 3537 South I-35E Denton, Texas 76210 for the City of Denton Employee Health Center for a three year period; authorizing the expenditure of funds therefor (with a one-year cost of \$66,552, and a three (3) year not-to-exceed amount of \$203,676); and providing an effective date.

ASSIGNED ORDINANCE NO. 19-2386

C. ID 19-2432 Consider approval of the minutes of October 7 and October 8, 2019.

D. ID 19-2433 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with International Business Machines (IBM) Corporation for Weather Forecasting Services; Pattern Recognition Technologies, Inc., for Load Forecasting Service; and Radiant Geospatial Solutions, LLC, for Wind and Solar Forecasting Services; providing for the expenditure of funds therefor; and providing an effective date (RFP 7057 - awarded to the lowest responsive bidder for each line item, Weather Forecasting contract awarded to International Business Machines (IBM) Corporation for a three (3) year not-to-exceed amount of \$63,030, Load Forecasting contract awarded to Pattern Recognition Technologies,

Inc., for a three (3) year not-to-exceed amount of \$118,800 and Wind and Solar Forecasting contract awarded to Radiant Geospatial Solutions LLC for a three (3) year not-to-exceed amount of \$66,000, in a total three (3) year, not-to-exceed amount of \$247,830). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 19-2433

- E. ID 19-2434 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 Raftelis Financial Consultants, Inc., for Water and Wastewater Utilities Cost of Service and Rate Design Study as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7105 - Professional Services Agreement for Water and Wastewater Utilities Cost of Service and Rate Design Study awarded to Raftelis Financial Consultants, Inc., in the not-to-exceed amount of \$108,470). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 19-2434

- F. ID 19-2435 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 1 to the contract between the City of Denton and Wilson Contractor Services, LLC, for the construction of the Allred and John Paine Road Water Transmission Main Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7038 - Change Order No. 1 in the not-to-exceed amount of \$399,141.26 for a total contract award aggregated to \$5,275,366.64). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 19-2435

- G. ID 19-2436 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to utilize a contract through the City of Frisco Contract Number 1901-036 for the acquisition of self-contained breathing apparatus (SCBA) for the Fire Department; providing for the expenditure of funds therefor; and providing an effective date (File 7124 - awarded to Hoyt Enterprises, Inc., dba Hoyt Breathing Air Products, in the amount of \$600,000).

ASSIGNED ORDINANCE NO. 19-2436

- I. ID 19-2466 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Holt CAT through the Sourcewell Cooperative Purchasing Network Contract Number 032119-CAT, for the purchase of one (1) D-9 Dozer for the Solid Waste Landfill Department; authorizing the expenditure of funds therefor; and declaring an effective date (File 7182 - awarded to Holt CAT, in the not-to-exceed amount of \$1,057,079.89). The Public Utilities Board recommends approval (5 - 1).

ASSIGNED ORDINANCE NO. 19-2466

- J. ID 19-2521 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Siddons-Martin Emergency Group, LLC, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract Number FS12-17, for the acquisition of one (1) Oshkosh 3000 Striker 6X6, Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Fire Department; and providing an effective date (File 7194 - awarded to Siddons-Martin Emergency Group, LLC in the not-to-exceed amount of \$754,922).

ASSIGNED ORDINANCE NO. 19-2521

- K. ID 19-2534 Consider approval of a resolution of the City of Denton allowing the Campus Theatre Concessions, LLC to sell alcoholic beverages at the Denton's Day of the Dead Festival, on Saturday, October 26, 2019, from 11:00 a.m. to 11:00 p.m., at the Williams Square, upon satisfying certain conditions; authorizing the City Manager, or his designee, to execute an agreement in conformity with this resolution; and providing for an effective date.

ASSIGNED RESOLUTION NO. 19-2534

- N. ID 19-2520 Consider adoption of an ordinance of the City of Denton establishing the classifications and prescribing the number of positions in each classification for the Police Department pursuant to Chapter 143 of the Texas Local Government Code; providing repealer, cumulative, and severability clauses; and declaring an effective date.

ASSIGNED ORDINANCE NO. 19-2520

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- H. ID 19-2465 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 All-N-One Services, LLC, for Temporary Labor Services for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 7045 - awarded to All-N-One Services, LLC, in the three (3) year not-to-exceed amount of \$525,000).

The item was presented and discussion followed.

Mayor Watts moved to postpone to November 5, 2019. Motion seconded by Mayor Pro Tem Hudspeth. Motion carried.

AYES (3): Mayor Watts, Mayor Pro Tem Hudspeth and Council Member Meltzer

NAYS (2): Council Members Briggs and Armintor

ABSENT (2): Council Members Davis and Ryan

- L. ID 19-2551 Consider adoption of an ordinance of the City of Denton, Texas, approving a first amendment to the employment agreement for City Manager Todd Hileman; providing a salary increase for City Manager Todd Hileman under the performance review provision of the City Manager's employment agreement with the City; extending the term of the City Manager's employment agreement to October 23, 2023; increasing vacation accrual to four weeks per year for the City Manager; adding an automatic renewal clause; authorizing the expenditure of funds; and providing an effective date.

There was no presentation and no discussion on the item.

Council Member Briggs moved to postpone to November 5, 2019. Motion seconded by Council Member Meltzer. Motion carried.

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Armintor, and Meltzer

NAYS (0): None

ABSENT (2): Council Members Davis and Ryan

- M. ID 19-2552 Consider adoption of an ordinance of the City of Denton, Texas, approving a second amendment to the employment agreement for City Attorney Aaron Leal; providing a salary increase under the performance review provision of the City Attorney's employment agreement with the City; extending the term of the City Attorney's employment agreement to October 11, 2021; authorizing the expenditure of funds; and providing an effective date.

There was no presentation and no discussion on the item.

Council Member Briggs moved to postpone to November 5, 2019. Motion seconded by Council Member Meltzer. Motion carried.

AYES (5): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs, Armintor, and Meltzer

NAYS (0): None

ABSENT (2): Council Members Davis and Ryan

The meeting was recessed at 2:30 p.m. for a short break and reconvened at 2:35 p.m.

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 19-2249 Consider approval of a resolution by the City of Denton recognizing the necessity of protecting the natural areas (greenbelts) adjacent to creeks and other waterways; adopting the Denton County Greenbelt Plan as a framework to complement the current and future planning efforts of the City of Denton in managing and protecting various environmental resources; endorsing the plan as an urgent regional program for the county, cities, towns and utilities to help protect water quality in local watersheds; and expressing the City of Denton's intent to participate in implementing strategies that will preserve and protect the environment and safeguard the public welfare.

ASSIGNED RESOLUTION NO. 19-2249

The item was presented and discussion followed.

Council Member Armintor moved to approve the item as presented. Motion seconded by Council Member Meltzer. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Armintor and Meltzer

NAYS (0): None

ABSENT WHEN VOTE TAKEN (1): Council Member Briggs

ABSENT (2): Council Members Davis and Ryan

- B. HLC19-030c Consider approval of a resolution of the City of Denton, Texas adopting the vision, value statements, goals, policies, recommendations, and the implementation matrix proposed in the Denton Historic Preservation Plan prepared by the Lakota Group, dated August 28, 2019; and providing an effective date. (HLC19-030c, Historic Preservation Plan, Ron Menguita)

ASSIGNED RESOLUTION NO. HLC19-030c

The item was presented and discussion followed.

Council Member Meltzer moved to approve the item as presented. Motion seconded by Council Member Briggs. Motion carried.

AYES (4): Mayor Watts, Mayor Pro Tem Hudspeth and Council Members Briggs and Meltzer

NAYS (1): Council Member Armintor

ABSENT (2): Council Members Davis and Ryan

3. 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.


The Special Called Meeting ended at 3:22 p.m.

CLOSED MEETING


1. The City Council convened into a Closed Meeting at 3:22 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:
 - A. ID 19-2498 Deliberations regarding Personnel Matters - Under Texas Government Code Section 551.074. Deliberate and discuss the evaluation, duties, discipline, procedures, and contracts of the Municipal Judge and City Auditor.
NOT DELIBERATED
 - B. ID 19-2527 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the status, strategy, and potential resolution of the Crystal Faulkner personal injury claim; where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in pending or contemplated litigation or settlement offers.
DELIBERATED

The Closed Meeting started at 3:25 p.m. and ended at 3:30 p.m. Item 1.A (ID 19-2498) was not deliberated. No votes or actions were taken during the Closed Meeting.

With no further business, the meeting was adjourned at 3:30 p.m.



CHRIS WATTS
MAYOR
CITY OF DENTON, TEXAS



JANE RICHARDSON
ASSISTANT CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: November 12, 2019