

CITY OF DENTON CITY COUNCIL MINUTES

April 1, 2025

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, April 1, 2025, 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, Jill Jester, and Brandon Chase McGee (left the meeting at 4:03 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 None
- Pulled For Individual Consideration:
 - o Mayor Hudspeth: Item 3.B
- Pulled and Not Considered:
 - o Staff: Item 3.C

3. Work Session Reports

- A. ID 25-561 Receive a report, hold a discussion, and give staff direction regarding the operational and land use requirements of mobile food establishments. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was to move forward with staff recommendation.

- B. ID 25-151 Receive a report and hold a discussion on the Denton Police Department Annual Update and 2024 Annual Report. [Estimated Presentation/Discussion Time: 45 minutes]

The item was presented and discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

- C. ID 25-501 Receive a report and hold a discussion on the Denton Fire Department Annual Update and 2024 Annual Report. [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 25-149 Receive a report and hold a discussion on an overview of Water Resource Planning by City of Denton Water Utilities. [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.

- E. ID 25-023 Receive a report, hold a discussion, and give staff direction on pending City Council requests for: Investigate the cost of returning East Hickory Street to traditional right-side head-in parking. [Estimated Presentation/Discussion Time: 30 minutes]

The item was presented and discussion followed.

Following discussion, City Council consensus was as follows:

- o Consensus for an Informal Staff Report (ISR).

The work session ended at 4:27 p.m.

CLOSED MEETING – NOT HELD

The City Council did not convene into a Closed Meeting, therefore, the following items were not considered.

1. Closed Meeting:

- A. ID 25-427 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 an update to the Denton Municipal Electric Energy Risk Management Policy that includes public power utility competitive data; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorney regarding legal issues associated with the above matter where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

NOT DELIBERATED

- B. ID 25-579 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys on the legal status, expenses, strategy and options for resolution of litigation in Cause No. DC-22-17013, styled "City of Denton, Texas, acting by and through its Electric Utility Department, Denton Municipal Electric v. Delilah Solar Energy, LLC and Samson Solar Energy, LLC, pending in the 192nd District Court, Dallas 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

As noted above, the Closed Meeting was not held.

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, April 1, 2025, at 6:30 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, and Jill Jester

ABSENT: Council Member Brandon Chase McGee

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.

1. PLEDGE OF ALLEGIANCE

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

2. PROCLAMATIONS/PRESENTATIONS

- A. ID 25-539 Proclamation: National Lineman Appreciation Day
PRESENTED
- B. ID 25-540 Proclamation: Child Abuse Prevention Month
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.
- 1) Scheduled Citizen Reports from Members of the Public
- A. ID 25-619 Mr. Patrick Smith regarding Serve Denton update.
PRESENTED
 - B. ID 25-622 Ms. Amira Rasoul regarding "I told you so."
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)

None

4. CONSENT AGENDA

The Consent Agenda consisted of Items 4.A-4.F. During the Work Session held earlier in the day, Item 4.B was pulled for Individual Consideration by Mayor Hudspeth and Item 4.C was pulled from the agenda by Staff and was not considered.

Council Member Beck moved to adopt the Consent Agenda, now consisting of Items 4.A, 4.D-4.F. Motion seconded by Council Member Byrd.

Motion carried.

AYES (5): Mayor Hudspeth and Council Members Beck, Byrd, Holland, and Jester

NAYS (1): Mayor Pro Tem Meltzer

ABSENT (1): Council Member McGee

A. ID 25-056 Consider approval of the minutes of the March 25, 2025 Special Called Meeting.
APPROVED

B. ID 25-557 Consider a nomination/appointment to the City's Planning & Zoning Commission.
APPROVED

APPOINTMENTS LISTED ON EXHIBIT A

C. ID 25-426 Consider adoption of an ordinance of the City of Denton repealing ordinance No. 24-2027; approving the 2025 Denton Municipal Electric - Energy Risk Management Policy (the "2025 ERMP"); delegating authority as provided in the 2025 ERMP; authorizing and approving the subsequent execution of such other ancillary and related documents, including, without limitation, contracts, nominations, certificates, assignments, licenses, directions, instruments, confirmations, orders, and statements as are authorized by the 2025 ERMP, which are incident to or related thereto; confirming that the city of Denton, its mayor, its city council members, its city manager, its city attorney, and its city secretary are authorized to perform such acts and obligations as are reasonably required to consummate those future transactions which are provided for and authorized by the 2025 ERMP; finding that the purchase of electricity, natural gas, and related commodities and instruments are exempt from the requirements of competitive bidding; finding that the purchase of electric energy, natural gas, and related commodities and instruments made by the city under the terms of the 2025 ERMP are in the public welfare of the citizens and electric ratepayers of the city; authorizing the expenditure of funds therefor; and, providing an effective date. The Public Utilities Board recommends approval (6-0).

This item was pulled from the agenda and not considered.

- D. ID 25-039 Consider adoption of an ordinance of the City of Denton, Texas establishing the schedule of rates for electric service; amending the Energy Cost Adjustment and Transmission Cost Recovery Factor Schedules; providing for a repealer; providing for a severability clause; and providing effective dates for this ordinance and the schedules of rates. The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 25-039

- E. ID 25-522 Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute an agreement between the City of Denton and the University of North Texas on behalf of its Department of Lifelong Learning and Community Engagement to offer a discounted membership option of the Osher Lifelong Learning Institute at University of North Texas program to Denton Parks and Recreation rec pass holders 50 years and older, and to utilize space provided by City of Denton Recreation Centers; authorizing the City Manager, or designee, to perform all obligations of the City under the agreement and providing an effective date.

ASSIGNED ORDINANCE NO. 25-522

- F. ID 25-562 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 Milsoft Utility Solutions, Inc., for continued vendor support of the Milsoft Interactive Voice Response and associated software modules along with new hardware and software upgrades 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 8752 - awarded to Milsoft Utility Solutions, Inc., for two (2) years, with the option for two (2) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$224,000.00). The Public Utilities Board recommends approval (6 - 0).

ASSIGNED ORDINANCE NO. 25-562

Pulled for Individual Consideration by Mayor Hudspeth.

- B. ID 25-557 Consider a nomination/appointment to the City's Planning & Zoning Commission.

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

Discussion followed.

Mayor Hudspeth moved to postpone the item to an event certain. Motion seconded by Council Member Holland.

Discussion followed.

Motion tied and therefor failed.

AYES (3): Mayor Hudspeth and Council Members Holland and Jester

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

ABSENT (1): Council Member McGee

The vote was called on the underlying motion to adopt.

Discussion followed.

Motion tied.

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

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

ABSENT (1): Council Member McGee

5. CONCLUDING ITEMS

Council Members expressed items of interest.

With no further business, the meeting was adjourned at 7:25 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

LAUREN THODEN
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: _____