

CITY OF DENTON CITY COUNCIL MINUTES
March 25, 2025

After determining that a quorum was present, the City Council of the City of Denton, Texas convened in a Work Session on Tuesday, March 25, 2025, at 3:00 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, Joe Holland, Jill Jester, and Brandon Chase McGee

ABSENT: Council Member Vicki Byrd

Also present were City Manager Sara Hensley and Senior Deputy City Attorney Marcella Lunn.

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 None

3. Work Session Reports

- A. ID 24-2603 Receive a report, hold a discussion, and give staff direction regarding an overview and update of the City of Denton Solid Waste and Recycling Department. [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.

- B. ID 24-2537 Receive a report, hold a discussion, and give staff direction regarding the FY 2023-24 Annual Comprehensive Financial Report and annual audit. [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.

The work session ended at 3:57 p.m.

CLOSED MEETING – NOT HELD

1. Closed Meeting:

- A. ID 25-559 Consultation with Attorneys - Under Texas Government Code Section 551.071. Consult with the City's attorneys regarding potential resolution to a breach of contract claim with Rhino Removal, LLC; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

NOT DELIBERATED

- B. ID 25-578 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

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, March 25, 2025, at 4:06 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, Joe Holland, Jill Jester, and Brandon Chase McGee

ABSENT: Council Member Vicki Byrd

Also present were City Manager Sara Hensley and Senior Deputy City Attorney Marcella Lunn. 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.

2. CONSENT AGENDA

During the Work Session held earlier in the day, no items were pulled for Individual Consideration.

Council Member McGee moved to adopt the Consent Agenda as presented. Motion seconded by Council Member Beck.

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member Byrd

A. ID 25-055 Consider approval of the minutes of the March 4, 2025 Regular Meeting.

APPROVED

B. ID 25-077 Consider a nomination/appointment to the City's Development Code Review Committee.

APPROVED

APPOINTMENT LISTED ON EXHIBIT B

C. ID 25-556 Consider a nomination/appointment to the City's Historic Landmark Commission.

APPROVED

APPOINTMENT LISTED ON EXHIBIT B

D. ID 25-558 Consider a nomination/appointment to the City's Parks, Recreation & Beautification Board.

APPROVED

APPOINTMENT LISTED ON EXHIBIT B

E. ID 25-570 Consider approval of a resolution of the City of Denton amending the City of Denton's 89th State Legislative Program; and providing an effective date.

ASSIGNED RESOLUTION NO. 25-570

F. ID 25-560 Consider adoption of an ordinance approving a Settlement Agreement and Waiver of Claims implementing the terms of a settlement regarding a claim for breach of contract of a Solid Waste Disposal Contract dated October 1, 2022 between Rhino Removal, LLC and the City of Denton, executed by Ordinances 22-1558 and 23-1994, as amended on November 7, 2023; 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. 25-560

- G. ID 25-458 Consider adoption of an ordinance of the City of Denton granting a noise exception for the Boil Buddies Bash Denton Mudbug event which will be held on Saturday, April 5, 2025 at Lucky Lou's Bar; and providing an effective date.

ASSIGNED ORDINANCE NO. 25-458

- H. ID 25-510 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 Wastech Corporation, amending the contract approved by City Council on September 22, 2020, in the not-to-exceed amount of \$500,907.00; said first amendment to provide additional annual services and equipment replacements for the Smart Routing Solutions for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7169 - providing for an additional first amendment expenditure amount not-to-exceed \$125,226.00, with the total contract amount not-to-exceed \$626,133.00).

ASSIGNED ORDINANCE NO. 25-510

- I. ID 25-511 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute Change Order No. 1 to the Construction Manager at Risk contract with McCarthy Building Companies, Inc., for construction phase services for Southeast Denton Package B (SED-B) Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7714 - Change Order No. 1 in the not-to-exceed amount of \$544,645.00, for a total contract award aggregated to \$22,127,023.00).

ASSIGNED ORDINANCE NO. 25-511

- J. ID 25-513 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 Hayes Construction, LLC, for the Trinity Bridge 6-inch Force Main Relocation for Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8711 - awarded to Hayes Construction, LLC, in the not-to-exceed amount of \$151,988.55).

ASSIGNED ORDINANCE NO. 25-513

- K. ID 25-514 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 LexisNexis Risk Solutions FL Inc., through the Department of Information Resources (DIR) Cooperative Contract No. DIR-CPO-5255 for the purchase of Accurant Virtual Crime Center system, including subscription-based computer assisted investigative research services and related products for the Police Department; providing for the expenditure of funds therefor; and providing an effective date (File 8731 - awarded to LexisNexis Risk Solutions FL Inc., in the five (5) year not-to-exceed amount of \$123,324.00).

ASSIGNED ORDINANCE NO. 25-514

- L. ID 25-515 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 C & P Pump Services, Inc., through The Interlocal Purchasing System (TIPS) Cooperative Program Contract No. 220603 for supplies, services, and equipment for all aquatic facilities - Water Works Park, Natatorium, Civic Center Pools, Carl Young Sr. Park Splash Pad, and various irrigation pumps for the Parks and Recreation Department; providing for the expenditure of funds therefor; and providing an effective date (File 8734 - awarded to C & P Pump Services, Inc., 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 \$1,250,000.00).

ASSIGNED ORDINANCE NO. 25-515

- M. ID 25-516 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 Occupational Health Centers of The Southwest, P.A., for pre-employment physical assessments for the Fire Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (PSA 8745 - Professional Services Agreement for physical assessment services awarded to Occupational Health Centers of The Southwest, P.A., 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 \$50,000.00).

ASSIGNED ORDINANCE NO. 25-516

- N. ID 25-517 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the City of White Settlement, under the Texas Government Code, Section 791.001, to authorize the City of White Settlement and City of Denton to utilize each entities' solicited contracts for the purchasing of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 8760 - award an Interlocal Cooperative Purchasing Agreement with the City of White Settlement).

ASSIGNED ORDINANCE NO. 25-517

- O. ID 25-518 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 Home Depot U.S.A., Inc., through the Omnia Partners Cooperative Purchasing Network Contract Nos. 16154 and 170009, for procurement fulfillment of Maintenance, Repair, Operating Supplies, Industrial Supplies, and Related Products and Services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (File 8768 - awarded to Home Depot U.S.A., Inc., in the not-to-exceed amount of \$1,200,000.00).

ASSIGNED ORDINANCE NO. 25-518

- P. ID 25-519 Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an Interlocal Cooperative Purchasing Agreement with the Town of Addison, under the Texas Government Code, Section 791.001, to authorize the Town of Addison and City of Denton to utilize each

entities' solicited contracts for the purchasing of various goods and services; authorizing the expenditure of funds therefor; and declaring an effective date (File 8781 - award an Interlocal Cooperative Purchasing Agreement with the Town of Addison).

ASSIGNED ORDINANCE NO. 25-519

- Q. ID 24-2633 Consider adoption of an ordinance of the City of Denton approving and authorizing the City Manager or their designee to execute an Interlocal Cooperation Agreement between the City of Denton and Denton County for Fire Protection and Emergency Ambulance Services for the period of October 1, 2024 through September 30, 2025 in the amount of \$127,251; and declaring an effective date.

ASSIGNED ORDINANCE NO. 24-2633

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

- A. ID 25-477 Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for acquisition of various (i) permanent drainage easements, (ii) temporary construction easements, (iii) permanent slope easements, and (iv) Rights-of-Way parcels, generally located along North/South Westgate Drive and Windsor Drive situated in the Francis Batson Survey, Abstract No. 43, and the Nathan Wade Survey, Abstract No. 1407, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit(s) "A" (collectively, the "Property Interest(s)"); 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 proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

ASSIGNED ORDINANCE NO. 25-477

The item was presented and discussion followed.

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

Following discussion, Council Member Beck moved 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 (i) permanent drainage easements, (ii) temporary construction easements, (iii) permanent slope easements and (iv) Rights-Of-Way parcels, general located along North/South Westgate Drive and Windsor Drive situated in the Francis Batson Survey, Abstract No. 43, and the 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 for improvements including the permanent connectivity of the North/South Westgate Drive to Bronco Way, the widening of Windsor Drive from Westgate Drive to Interstate 35 access road, and upgrades to storm drain lines, storm drain manholes, a culvert bridge, driveway approaches.

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

NAYS (0): None

ABSENT (1): Council Member Byrd

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ID 25-512 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 NorthStar Energy Solutions, LLC, for substation construction services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (CSP 8574 - awarded to NorthStar Energy Solutions, LLC, in the not-to-exceed amount of \$22,090,000.00).

ASSIGNED ORDINANCE NO. 25-512

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

The item was presented, and discussion followed.

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

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

NAYS (0): None

ABSENT (1): Council Member Byrd

6. CONCLUDING ITEMS

Council Members expressed items of interest.

At 4:25 p.m., the meeting was recessed until 6:30 p.m.

The meeting reconvened at 6:30 p.m.

PRESENT: Mayor Gerard Hudspeth, Mayor Pro Tem Paul Meltzer and Council Members Brian Beck, Joe Holland, Jill Jester, and Brandon Chase McGee

ABSENT: Council Member Vicki Byrd

Also present were City Manager Sara Hensley and Senior Deputy City Attorney Marcella Lunn.

3. PUBLIC HEARINGS

- A. PD23-0006a 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 from Residential 7 (R-7) District to Planned Development - Residential 7 District (PD-R7) including but not limited to establishing uses and standards and adopting a Development Plan on approximately 6.5 acres of land generally located on the east side of North Bonnie Brae Street approximately 1,165 feet south of Riney Road 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 a severability clause and an effective date. The Planning and Zoning Commission voted 4-0 to recommend approval of the request. Motion for approval by Commissioner Padron and second by Commissioner Riggs. (PD23-0006a, Family Justice Center, Julie Wyatt)

ASSIGNED ORDINANCE NO. PD23-0006a

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 in queue, the public hearing was closed.

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

Motion carried.

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

NAYS (0): None

ABSENT (1): Council Member Byrd

- B. Z25-0001a 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 from Residential 3 (R3) district to Residential 6 (R6) district on approximately 8.47 acres of land generally located north of Mingo Road, approximately 230 feet west of Nottingham 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 \$2,000.00 for violations

thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [4-0] to recommend approval of the request. Motion for approval was made by Commissioner Padron and seconded by Commissioner Riggs. (Z25-0001a, Sequoia Park-R3 to R6, Erin Stanley)

ASSIGNED ORDINANCE NO. Z25-0001a

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 in queue, the public hearing was closed.

Following discussion, Council Member Jester moved to adopt the item as presented. Motion seconded by Mayor Hudspeth.

Council Member Beck requested a friendly amendment to the zoning change that it be conditioned to maintain a minimum of 30% tree preservation.

Discussion followed.

Council Member Jester declined the request for the friendly amendment.

Discussion followed.

Council Member McGee moved to postpone the item to the next City Council meeting. The motion failed for lack of a second.

After further discussion, Council Member Beck renewed his request for a friendly amendment that the zoning change be conditioned to maintain a minimum of 30% tree preservation.

Council Member Jester declined the request for the friendly amendment.

Mayor Hudspeth called the vote on the underlying Motion to Adopt the ordinance as recommended by staff.

Motion carried.

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

NAYS (1): Mayor Pro Tem Meltzer

ABSENT (1): Council Member Byrd

With no further business, the meeting was adjourned at 7:16 p.m.

GERARD HUDSPETH
MAYOR
CITY OF DENTON, TEXAS

LAUREN THODEN
CITY SECRETARY
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: _____

March 25, 2025 City Council Special Meeting - EXHIBIT A

Name	Last	Address	City	Agenda Item	Position	Method	Comments
Aimee	Bissett	109 N Elm	Denton	PD23-0006a	Support	Public Hearing	Applicant
Hayden	Houston	3190 Teasley Lane	Denton	Z25-0001a	Support	Public Hearing	Applicant
Greg	Johnson	3190 Teasley Lane	Denton	Z25-0001a	Support	Public Hearing	
Toni	Johnson-Simpson	1512 Carriage Lane	Savannah	PD23-0006a	Support	Public Hearing	

BOARDS & COMMISSIONS - NOMINATIONS
March 25, 2025

BOARD/COMMITTEE/COMMISSION	COUNCIL PLACE	NOMINATING CCM	NOMINEE	PRESENT TERM	NEW TERM	STATUS & QUALIFICATION OR PREFERENCE, IF ANY
Development Code Review Committee	2	Beck	Lisa Dyer	N/A	Unexpired term Sept 1, 2023 – Aug 31, 2025	New Appointment
Parks, Recreation & Beautification Board	5	McGee	Robert Tickner	N/A	Sept 1, 2024 – Aug 31, 2026	New Appointment
Historic Landmark Commission	1	Byrd	Max (aka Brett) Davis	N/A	Sept 1, 2024 – Aug 31, 2026	New Appointment