

LAW OFFICE OF RICHARD GLADDEN

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August 13, 2023

GERARD HUDSPETH, Mayor of the
City of Denton;

BRIAN BECK, VICKI BYRD,
JOE HOLLAND, BRANDON CHASE-McGEE,
PAUL MELTZER and
CHRIS WATTS, Denton City Council Members;

MACK REINWAND
Denton City Attorney;

and,

SARA HENSELY,
Denton City Manager.

(DELIVERED TO ALL BY EMAIL THIS DATE)

Re: Potential Fraud against the City of Denton and its Taxpayers, Relating to Attorney's Fees that may have been Charged by the City's "Outside Counsel" in *Maguire v. Rios*, No. 22-4543-431, and in *Maguire v. Hudspeth*, No. 22-10794-393.

Dear Mayor Hudspeth, Council Members, Mr. Reinwand and Ms. Hensley,

It has been brought to my attention by a constituent of yours that last Thursday, August 10, 2023, the City of Denton posted a press release on the City's web page wherein it announced two lawsuits against the City of Denton and its officials, filed by my client Alison Maguire and others, were dismissed "this past month." This press release is appended hereto as an Attachment,¹ as are other documents related to the purpose of this letter.

¹ **ATTACHMENT 1**, Denton City Press Release: "Recall Lawsuits Dismissed" (Aug. 10, 2023). This press release is also available online at: <https://www.cityofdenton.com/civicalerts.aspx?AID=496> (last visited Aug. 13, 2023)

While I have read many factually inaccurate press releases published by the City of Denton on the City's web page over the years, I ordinarily do not find it a useful expenditure of my time to notify you of these errors or to request that you correct such errors. In this case however, because it appears your "outside counsel" may have misled you, and that he may have done so knowingly for the purpose of defrauding the City of Denton and its taxpayers, I feel impelled to direct your attention to the errors stated in the aforementioned press release.

Proceedings in the "Recall" Lawsuit (No. 22-4543-431)

The first of the two lawsuits referenced above, *Maguire v. Rios*, No. 22-4543-431 (the "recall lawsuit"), was dismissed by the Court in a final judgment entered on September 28, 2022. This undeniable fact is established by official records on file in this case.

As shown by the official reporter's record of a hearing in this case that occurred on September 27, 2022, the District Court expressly stated at the conclusion of the hearing that "all causes of action and all parties" were dismissed at that time.² As is customary, the Court at the conclusion of this hearing directed the City's "outside counsel," Mr. David Overcash, to prepare and submit to the Court a final order and judgment that reflected the Court's ruling.³ However, apparently for purposes discussed hereinafter, Mr. Overcash deliberately submitted a proposed order to the Court that did not include a "Mother Hubbard" clause that would have accurately and unambiguously reflected the Court's ruling that "all causes of action and all parties" were dismissed on September 27, 2022.⁴

² ATTACHMENT 2, Official Record of Hearing (Sept. 27, 2022), at page 59.

³ *Ibid.*

⁴ As all competent civil attorneys in Texas are aware, a "Mother Hubbard" clause is included in "final" orders and judgments for the purpose of notifying the parties and appellate courts of when the time for an appeal from such orders or judgments begins. A Mother Hubbard clause thus generally includes words to the effect that "all relief" sought by any party, when not expressly granted by the order or judgment, is "denied." *Mafrige v. Ross*, 866 S.W.2d 590, 590 n. 1 (Tex. 1993); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 192 (Tex. 2001) (observing that a "Mother Hubbard clause" is "a recitation that all relief not expressly granted is denied.").

Notwithstanding the foregoing deficiency in Mr. Overcash's proposed order, the District Court on September 28, 2022, nonetheless signed the proposed order submitted by Mr. Overcash; and in accordance with the Court's intent, the District Clerk on September 28, 2022, made an entry on the Court's official docket stating the Court's order constituted a "Final Order/Judgment/Decree" that "close[d] entire case."⁵ This designation of the Court's order as a "Final Order/Judgment/Decree" was provided via U.S. mail to Mr. Overcash (and to all other parties) by the Denton County District Clerk on September 30, 2022.⁶

On October 28, 2022, one month after entry of the District Court's final judgment on September 28, 2022, and slightly less than a month (28 days) after the District Clerk provided written notice to all parties that a "final judgment" had been entered in the case (on September 30, 2022), Mr. Overcash filed a "motion to modify" the prior final judgment together with a "revised" proposed order.⁷ In this pleading and proposed order Mr. Overcash sought to resurrect various claims made by the City Defendants, including their claims for an award of attorney's fees against Ms. Maguire and the other plaintiffs. And in this motion to modify the final judgment, Mr. Overcash feigned confusion concerning the Court's expressed intention to dismiss "all causes of action and all parties."⁸

In response to Mr. Overcash's "motion to modify," the District Court, on the same day (October 28, 2022), caused the "revised" proposed order submitted by Mr. Overcash to be entered into the official record "unsigned." As shown by that document, Mr. Overcash was *expressly* informed by the Court, at this time, that his "revised" proposed order would not be

⁵ **ATTACHMENT 3**, Official Docket in Cause No. 22-4543-431 (entry for Sept. 28, 2022) ("recall" lawsuit). This official docket, like all others pertaining to Denton County District Court cases, can be reviewed online at: <https://justice1.dentoncounty.gov/PublicAccessDC/default.aspx> (last visited Aug. 13, 2023).

⁶ *Id.*, (entry for Sept. 30, 2022) ("recall" lawsuit).

⁷ *Id.*, (entry for Oct. 28, 2022) ("recall" lawsuit).

⁸ **ATTACHMENT 2**, Official Record of Hearing (Sept. 27, 2022), at page 59.

signed by the Court because a different version of final order [had been] signed,⁹ as was previously noted by the District Clerk in the docket entry dated September 28, 2022.¹⁰

Although Ms. Maguire and her fellow plaintiffs timely filed a notice of appeal from the District Court's final order and judgment that dismissed their own claims, no appeal by the City of Denton or by any of its officials was ever filed concerning the Court's denial of their request for an award of attorney's fees against the plaintiffs. Consequently, when the Second Court of Appeals subsequently entered an order ruling the plaintiffs' appeal had become moot as the result of the intervening municipal election on May 8, 2022, and when it accordingly dismissed plaintiffs' appeal as moot,¹¹ *no other claims* alleged by any party to the lawsuit, including the City's claim for an award of attorney's fees, remained pending in the District Court. Any legal advice to the contrary, received by the Denton City Council from Mr. Overcash after September 27, 2022, would have been inaccurate at best, if not deliberately misleading. It is my opinion that the latter would be true.

In other words, based on the foregoing events, as well as on the basis of additional events described below, it is my opinion that if Mr. Overcash advised the Denton City Council that any claims of the City remained pending in this case after the District Court expressly denied all of the City's claims on September 27, 2022, he would have knowingly provided false legal advice to the Council. It is also my opinion that if Mr. Overcash did provide that legal advice to the Council after September 27, 2022, he would have done so for the purpose of unethically (if not unlawfully) securing from Denton taxpayers unearned attorney's fees by seeking to continue litigating the City's plainly non-existent attorney's fees claims in the future.

⁹ **ATTACHMENT 4** (striking Mr. Overcash's proposed revised order and inserting notation stating "Different version of final order signed").

¹⁰ **ATTACHMENT 3**, Official Docket in Cause No. 22-4543-431 (entry for Sept. 22, 2022) (recall lawsuit).

¹¹ *Maguire v. Rios*, No. 02-22-00380-CV (Tex. App. i Fort Worth Feb. 16, 2023) (per curiam) (corrected memorandum opinion).

Proceedings in the “Election Contest” Lawsuit (No. 22-10794-393)

The second of the two lawsuits referenced above, *Maguire v. Hudspeth*, No. 22-10794-393 (the “election contest” lawsuit), was dismissed by the District Court in a final judgment entered on April 6, 2023.¹² In this final judgment, which was prepared and submitted to the Court by Mr. Overcash himself, the Court not only dismissed plaintiffs’ claims but also expressly denied the claims for an award of attorney’s fees sought by Mayor Hudspeth against Ms. Maguire.¹³ As in the former “recall” lawsuit described above, the District Clerk on April 6, 2023, made an entry on the District Court’s official docket stating that the Court’s order constituted a “Final Order/Judgment/Decree” that “close[d] entire case.”¹⁴ And, as in the former “recall” lawsuit, this designation of the Court’s order as a “Final Order/Judgment/Decree” was provided via U.S. mail to Mr. Overcash (and to all other parties) by the Denton County District Clerk on April 10, 2023.¹⁵

No appeal by Mayor Hudspeth was ever filed concerning the District Court’s denial of his request for an award of attorney’s fees on April 6, 2023. And due to the obvious futility of any effort by plaintiffs to obtain relief from the Second Court of Appeals before the then-imminent municipal election to be held on May 6, 2023 (at which time Ms. Maguire’s term as Council Member for District 4 would expire), the plaintiffs likewise did not appeal from the District Court’s final judgment entered on April 6, 2023. Accordingly, *no claims* alleged by any party in the case, including any claims alleged by Mayor Hudspeth, remained “pending” or subject to the District Court’s reconsideration when the Court’s plenary jurisdiction expired on

¹² **ATTACHMENT 5**, Final Order, No. 22-10794-393 (April 6, 2023) (“election contest” lawsuit).

¹³ *Id.*, (“With respect to the Defendant’s request for attorney fees and costs as incorporated to the TRCP 91a Motion, the court DENIES the request for such an award.”).

¹⁴ **ATTACHMENT 6**, Official Docket in Cause No. 22-10794-393 (entry for April 6, 2023) (“election contest” lawsuit).

¹⁵ *Id.*, (entry for April 10, 2023) (“election contest” lawsuit).

May 6, 2023 (thirty days after the final judgment was signed on April 6, 2023), due to Mr. Overcash's conscious decision not to file any post-judgment motion.¹⁶ Mr. Overcash was undoubtedly aware, not later than May 6, 2023, that no matters remained pending or subject to reconsideration by the District Court in the case.

The Denton City Council Agenda for June 6, 2023, and Subsequent Events

In accordance with Item ID 23-1074 of its published agenda for June 6, 2023, the Denton City Council convened a closed meeting for the stated purpose of consulting with the City's attorneys on the legal status, expenses, strategy and options for resolution of litigation in Cause No. 22-10794-393 and litigation in Cause No. 22-4543-431.¹⁷ No final action, decision, or vote concerning Item ID 23-1074 was publicly announced by the City Council when it resumed its open meeting on June 6, 2023 after its closed meeting. However, subsequent actions taken by Mr. Overcash, on behalf of the City of Denton and Mayor Hudspeth, establish the Council was likely misinformed concerning both whether any claims remained pending in either the recall lawsuit or in the election contest lawsuits, and whether any further legal action was necessary to ostensibly resolve these dismissed cases.

On June 26, 2023, Mr. Overcash, on behalf of the City of Denton and Mayor Hudspeth, frivolously filed motions to dismiss the City's and Mayor Hudspeth's pending claims in each of these two cases *a second time*.¹⁸ Mr. Overcash filed these two motions with direct knowledge that all claims by all parties in both the recall and the election contest lawsuits had been entirely dismissed by final judgments entered months earlier in each case. While the

¹⁶ TEX. R. CIV. P. 329b (b), (d) and (f) (requiring remedial post-judgment motions to be filed within thirty days after the judgment or other order complained of is signed).

¹⁷ **ATTACHMENT 7**, Denton City Council Agenda for June 6, 2023 (emphasis added). The Denton City Council's posted agenda for this meeting may also be reviewed online at: <https://www.cityofdenton.com/242/Public-Meetings-Agendas> (June 6, 2023).

¹⁸ See, **ATTACHMENT 3**, Official Docket in Cause No. 22-4543-431 (recall lawsuit) (entry for June 26, 2023), and **ATTACHMENT 6**, Official Docket in Cause No. 22-10794-393 (election contest lawsuit) (entry for June 26, 2023).

Judges formerly assigned to the two cases obliged Mr. Overcash's peculiar and untimely request that these cases be dismissed "a second time" (likely to due to judicial inadvertence or indifference to the fact that both cases had already been "dismissed" entirely), it is unclear whether Mr. Overcash charged Denton taxpayers additional attorney's fees for performing these wholly meaningless tasks. It is also unclear whether, if he did so, in what amount Denton's taxpayers were defrauded.

In short, as previously stated herein, it is my opinion that *if* Mr. Overcash advised the Denton City Council that any claims of the City or Mayor Hudspeth remained "pending" in these cases after they had been entirely dismissed months before, he would have knowingly provided false and deceptive legal advice to the Council. And again, *if* Mr. Overcash did provide this legal advice at the "closed" City Council meeting held on June 6, 2023, it is my opinion he would only have done so for the purpose of unethically (if not unlawfully) securing from Denton taxpayers unearned attorney's fees by seeking to continue litigating the City's non-existent attorney's fees claims.

For the reasons stated above, I encourage each of you to look into this matter. In the event you should have any questions or comments concerning this letter please let me know and I'll gladly respond to them.

Yours truly,

/s/ Richard Gladden

ATTACHMENT

1

Press Releases

Posted on: August 10, 2023

Recall Lawsuits Dismissed

The City of Denton was granted final orders in its favor on both recall election lawsuits this past month. Both cases have been dismissed.

DENTON, TX, Aug. 10, 2023 – The City of Denton was granted final orders in its favor on both recall election lawsuits this past month. Both cases have been dismissed.

An initial lawsuit was brought against the City of Denton, its City Secretary, and the City Councilmembers on June 8, 2022. The lawsuit challenged a recall petition and election for Council Place 4 that had been certified by the City Secretary and called for an election by City Council. The recall petition, and the election held on November 8, 2022, were completed in accordance with the Denton City Charter and state law.



On June 28, 2023, a District Court judge signed the Order on the City’s Motion to Dismiss and for Entry of Final Judgment, dismissing all claims against the City.

A second lawsuit filed after the recall election on December 22, 2022, was brought against Mayor Gerard Hudspeth in his official capacities as Mayor and Presiding Officer. This lawsuit challenged the recall and removal of then-Place 4 Council member Maguire. The lawsuit was heard by an appointed special judge who again ruled in favor of the City of Denton’s Motion to Dismiss. The court signed the Final Motion to Dismiss Order and Entry of Final Judgment on July 14, 2023, dismissing all claims against the City.

The City of Denton City Attorney’s Office engaged outside counsel to represent the City’s interests in both lawsuits. David Overcash, a Partner with Wolfe, Tidwell & McCoy law firm served as the City’s outside counsel and successfully defended both cases.

Contact: Ryan Adams, (940) 349-8565, Ryan.Adams@cityofdenton.com

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ATTACHMENT

2

REPORTER'S RECORD
 TRIAL COURT CAUSE NO. 22-4543-431
 VOLUME 1 OF 1 VOLUMES

ALISON MAGUIRE, KERI) (IN THE DISTRICT COURT
 CARUTHERS, TRACY RUNNELS,) (
 AND EMILY MEISNER,) (
) (
 V.) (
) (
 ROSA RIOS, IN HER OFFICIAL) (
 CAPACITY AS CITY SECRETARY OF) (
 THE CITY OF DENTON, TEXAS,) (
) (
 THE CITY OF DENTON, TEXAS,) (
) (
 GERARD HUDSPETH, VICKI BIRD) (
 BRIAN BECK, JESSE DAVIS,) (431ST JUDICIAL DISTRICT
 BRANDON CHASE-MCGEE AND) (
 CHRIS WATTS, IN THEIR OFFICIAL) (
 CAPACITIES AS CITY COUNCIL-) (
 MEMBERS OF THE CITY OF DENTON,) (
 TEXAS,) (
) (
 DONALD DUFF, IN HIS OFFICIAL) (
 CAPACITY AS REPRESENTATIVE OF) (
 A COMMITTEE OF ELECTORS IN) (
 THE CITY OF DENTON, TEXAS AND) (
) (
 FRANK PHILLIPS IN HIS) (
 OFFICIAL CAPACITY AS DENTON) (
 COUNTY ELECTIONS ADMINISTRATOR) (DENTON COUNTY, TEXAS

 MOTION TO DISMISS

On the 27th day of September, 2022, the following
 proceedings came on to be held in the above-titled and numbered
 cause before the Honorable James Johnson, Presiding Judge, held
 in Denton, Denton County, Texas.

Proceedings reported by realtime transcription.

1 Phillips' plea to the jurisdiction and dismiss the claims
2 against him.

3 Going to the City of Denton Defendants, I find
4 there is no ambiguity in Denton City Charter Article 4, Section
5 4.13(a), and that it means what it says. And it says, in
6 present tense, that constituency shall mean qualified voters
7 eligible to vote for the councilmember whose removal is sought.
8 So those are qualified voters who today, present tense, are
9 eligible, or at the date the petition was submitted, or the
10 date of the election, any of those, in the district eligible to
11 vote for Ms. -- for Ms. Maguire. And under that strict
12 construction, straight unambiguous meaning of the Charter, I
13 grant the City Defendants' Rule 91 a Motion to Dismiss, and so
14 all parties are dismissed.

15 I would ask that Mr. Overcash draft an order,
16 circulate it for my signature, and then for Mr. Gladden's
17 appeal. And with that, I thank you all for your briefing.
18 There is, therefore, no need for an evidentiary hearing on
19 injunction because all causes of action and all parties are
20 dismissed. I thank you all for your attendance and discussion
21 today. Thank you.

22 MR. OVERCASH: Thank you very much, Your Honor.

23 MR. GLADDEN: Thank you, Your Honor.

24 (End of proceedings.)
25

ATTACHMENT

3

REGISTER OF ACTIONS
CASE NO. 22-4543-431

Alison Maguire, Keri Caruthers, Tracy Runnels, and Emily Meisner v. Rosa§
Rios, in her Official Capacity as City Secretary of the City of Denton, §
Texas, The City of Denton, Texas, Donald Duff, in his Official Capacity as §
Representative of a Committee of Electors in the City of Denton, Texas; §
and Frank Phillips, in his Official Capacity as Denton County Elections §
Administrator §
§

Case Type: Other Civil
Date Filed: 06/08/2022
Location: 431st Judicial District Court
Judicial Officer: Johnson, James S.
Court of Appeals Case Number: 02-22-00380-CV
File Custody/Location: District Clerk's Office

RELATED CASE INFORMATION

Related Cases
22-10794-393 (Related Civil Case)

PARTY INFORMATION

Defendant	Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas	Lead Attorneys David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Duff, Donald	Richard D. Hayes Retained PO Box 50149 512 W Hickory Ste 100 Denton, TX 76206 940-387-3518(W) 866-576-2575(F)
Defendant	Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Phillips, Frank	Denton County District Attorney Retained 1450 E McKinney FL 3rd Denton, TX 76209

Defendant	Rios, Rosa	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Defendant	Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas	David V. Overcash Retained 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Plaintiff	Caruthers, Kari	Richard Gladden Retained 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)
Plaintiff	Maguire, Alison	Richard Gladden Retained 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)
Plaintiff	Meisner, Emily	Richard Gladden Retained 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)
Plaintiff	Runnels, Tracy	Richard Gladden Retained 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)

EVENTS & ORDERS OF THE COURT

	OTHER EVENTS AND HEARINGS																										
06/08/2022	Plaintiff's Original Petition <i>(Verified) and Application for Declaratory Relief, Interim Injunctive Relief, and Permanent Injunctive Relief</i>																										
06/09/2022	Request <i>4 Citations</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy																										
06/10/2022	Citation <i>Eserved in envelope #65342781</i> <table><tr><td>Rios, Rosa</td><td>Served</td><td>06/15/2022</td></tr><tr><td></td><td>Returned</td><td>06/15/2022</td></tr><tr><td>Phillips, Frank</td><td>Served</td><td>06/15/2022</td></tr><tr><td></td><td>Returned</td><td>06/15/2022</td></tr><tr><td>Duff, Donald</td><td>Served</td><td>06/16/2022</td></tr><tr><td></td><td>Returned</td><td>06/16/2022</td></tr><tr><td>City of Denton, Texas</td><td>Served</td><td>06/15/2022</td></tr><tr><td></td><td>Returned</td><td>06/15/2022</td></tr></table>			Rios, Rosa	Served	06/15/2022		Returned	06/15/2022	Phillips, Frank	Served	06/15/2022		Returned	06/15/2022	Duff, Donald	Served	06/16/2022		Returned	06/16/2022	City of Denton, Texas	Served	06/15/2022		Returned	06/15/2022
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06/15/2022	Service Returned <i>Citation to City of Denton</i>																										
06/15/2022	Service Returned <i>Citation to Rosa Rios, City Secretary</i>																										
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06/16/2022	Service Returned <i>Citation to Donald Duff</i>																										
07/01/2022	Answer(s) and/or Response(s) <i>Defendant, Frank Phillips' Answer, Affirmative Defenses and Plea to the Jurisdiction</i> Party: Phillips, Frank																										
07/11/2022	Defendant's Original Answer <i>and Plea to the Jurisdiction (Rosa Rios)</i> Party: Rios, Rosa																										
07/11/2022	Defendant's Original Answer <i>and Plea to the Jurisdiction (City of Denton)</i> Party: City of Denton, Texas																										
07/11/2022	Appearance of Counsel <i>- Notice of Appearance</i> Party: City of Denton, Texas Party: Rios, Rosa Party 2: Overcash, David V.																										
07/18/2022	Answer(s) and/or Response(s) <i>Plaintiffs' Response in Opposition to Defendant Phillips' Plea to Jurisdiction</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily																										

	Party: Runnels, Tracy																																						
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07/19/2022	Amended <i>Plaintiffs' First Amended Verified Petition and Application for Declaratory Relief, Interim Injunctive Relief, and Permanent Injunctive Relief</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy																																						
07/22/2022	Request for Issuance of Citations																																						
07/22/2022	Defendant's Original Answer <i>Defendant Donald Duff's Original Answer, Verified Denial</i> Party: Duff, Donald																																						
07/25/2022	Response(s) <i>in Opposition to Defendant City of Denton's Plea to Jurisdiction</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy																																						
07/26/2022	Citation <i>eserved in env 66680029</i> <table><tr><td>Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr><tr><td>Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr><tr><td>Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr><tr><td>Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr><tr><td>Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr><tr><td>Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas</td><td>Served</td><td>08/03/2022</td></tr><tr><td></td><td>Returned</td><td>08/04/2022</td></tr></table>			Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022	Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022	Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022	Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022	Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022	Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022		Returned	08/04/2022
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Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022																																					
	Returned	08/04/2022																																					
Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022																																					
	Returned	08/04/2022																																					
Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022																																					
	Returned	08/04/2022																																					
Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas	Served	08/03/2022																																					
	Returned	08/04/2022																																					
07/27/2022	Record/Copy Request Front Counter <i>Processed and Completed in Person; email sent</i>																																						
08/04/2022	Service Returned <i>on Citation to Brian Beck</i> Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas																																						
08/04/2022	Service Returned <i>on Citation to Vicki Bird</i> Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas																																						
08/04/2022	Service Returned <i>on Citation to Brandon Chase-McGee</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas																																						
08/04/2022	Service Returned <i>on Citation to Jesse Davis</i> Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas																																						
08/04/2022	Service Returned <i>on Citation to Gerard Hudspeth</i> Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas																																						
08/04/2022	Service Returned <i>on Citation to Chris Watts</i> Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas																																						
08/12/2022	Appearance of Counsel Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas Party 2: Overcash, David V.																																						
08/12/2022	Defendant's Original Answer <i>Councilmember Defendants Original Answer and Plea to the Jurisdiction</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas																																						
08/15/2022	First Amended <i>Defendant City of Denton's First Amended Answer</i> Party: City of Denton, Texas																																						
08/15/2022	First Amended <i>Defendant Rosa Rios' First Amended Answer</i> Party: Rios, Rosa																																						
08/15/2022	Amended <i>Defendant City of Denton's First Amended Plea to the Jurisdiction</i> Party: City of Denton, Texas																																						
08/15/2022	First Amended <i>Defendant Rosa Rios' First Amended Plea to the Jurisdiction</i> Party: Rios, Rosa																																						
08/15/2022	Motion to Dismiss <i>City-Affiliated Defendants' Joint TRCP 91a Motion to Dismiss</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas																																						
08/15/2022	Plea to Jurisdiction <i>Defendant Donald Duff's Plea to the Jurisdiction, Plea for Abatement and Joinder, and Texas Citizens' Participation Act Motion to Dismiss</i> Party: Duff, Donald																																						
08/15/2022	Answer(s) and/or Response(s) <i>Plaintiffs' Response in Opposition to Defendant City Councilmembers' Plea to Jurisdiction</i> Party: Caruthers, Kari																																						

	Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
08/15/2022	Memorandum <i>Plaintiffs' Memorandum of Law Concerning "Election Contests" and Jurisdiction to Enjoin Invalid Pre-Election Proceedings</i> filed by: Caruthers, Kari filed by: Maguire, Alison filed by: Meisner, Emily filed by: Runnels, Tracy		
08/15/2022	Answer(s) and/or Response(s) <i>Plaintiffs' Response in Opposition to Defendant Duff's Original Plea to Jurisdiction</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
08/23/2022	Filed document <i>Plaintiffs' Voluntary Disclosure of Relevant Facts</i>		
08/30/2022	Motion for Non-Suit <i>(Plaintiffs' and Defendant Duff's Joint)</i>		
09/06/2022	Answer(s) and/or Response(s) <i>Plaintiffs' Response in Opposition to Defendant Rios' Amended Plea to Jurisdiction</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
09/06/2022	Answer(s) and/or Response(s) <i>Plaintiffs' Response in Opposition to Defendant City of Denton's Amended Plea to Jurisdiction</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
09/07/2022	Final Order/Judgment/Decree (partial case closing) (Judicial Officer: Johnson, James S.) <i>- Order Granting Plaintiffs' and Defendant Duff's Joint Motion for Non-Suit</i> for Parties: Caruthers, Kari for Parties: Duff, Donald for Parties: Maguire, Alison for Parties: Meisner, Emily for Parties: Runnels, Tracy		
09/13/2022	Response(s) <i>in Opposition to City-Affiliated Defendants' Joint TRCP 91a Motion to Dismiss</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
09/16/2022	Request for Issuance of <i>Subpoena</i> Made by: Gladden, Richard		
09/16/2022	Request for Issuance of <i>Subpoena</i> Made by: Gladden, Richard		
09/16/2022	Request for Issuance of <i>Subpoena</i> Made by: Gladden, Richard		
09/16/2022	Request for Issuance of <i>Subpoena</i> Made by: Gladden, Richard		
09/19/2022	Memorandum <i>of Law in Support of Application for a Temporary Injunction</i> filed by: Gladden, Richard		
09/21/2022	Subpoena <i>Envelope #68472799</i> Rios, Rosa	Served Returned	09/22/2022 09/22/2022
09/21/2022	Subpoena <i>Envelope #68472799</i> Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas	Served Returned	09/22/2022 09/22/2022
09/21/2022	Subpoena <i>Envelope #68472799</i> Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas	Served Returned	09/22/2022 09/22/2022
09/21/2022	Subpoena <i>Envelope #68472799</i> Phillips, Frank	Served Returned	09/22/2022 09/22/2022
09/21/2022	Motion to Strike <i>Improper Pleading Exhibits</i> Party: City of Denton, Texas Party: Rios, Rosa		
09/21/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>		
09/22/2022	Reply <i>(City-Affiliated Defendants') to Plaintiffs' TRCP 91a Response</i>		
09/22/2022	Response(s) <i>(City-Affiliated Defendants') Opposing Plaintiffs' Request for Temporary Injunction</i>		
09/22/2022	Subpoena Returned Served <i>Brian Beck Subpoena</i>		
09/22/2022	Subpoena Returned Served <i>Vicki Byrd Subpoena</i>		
09/22/2022	Subpoena Returned Served <i>Rosa Rios Subpoena</i>		
09/22/2022	Subpoena Returned Served <i>Frank Phillips Subpoena</i>		
09/26/2022	Response(s) <i>in Opposition to Defendants' Motion to Strike</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy		
09/26/2022	Motion to Quash <i>Plaintiffs' Subpoenas and Request for Protective Order, and Alternative Motions In Limine and for Continuance of Plaintiffs' TI Hearing</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas		

	Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
09/26/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
09/27/2022	Motion to Dismiss (9:00 AM) (Judicial Officer Johnson, James S.) <i>City Defs' TRCP Rule 91a MTDs and Pleas to the Jurisdiction; Frank Phillip's Plea to the Jurisdiction; Plaintiffs' Temp Inj and Responses to defs' pleading above; 3 hrs</i>
09/27/2022	Reply <i>(Plaintiffs') to City-Affiliated Defendants' Response in Opposition to Temporary Injunction</i>
09/27/2022	Judicial Docket Entry (Judicial Officer: Johnson, James S.) <i>Hearings held on Defendant Phillips' Plea to the Jurisdiction and City Defendants' Rule 91a Motions to Dismiss, which were granted. As a result, all parties and all causes of action in this case now have been dismissed.</i>
09/28/2022	Final Order/Judgment/Decree (partial case closing) (Judicial Officer: Johnson, James S.) <i>Vacated by Court of Appeals 4-28-23----Order of Dismissal</i> for Parties: Caruthers, Kari for Parties: Maguire, Alison for Parties: Meisner, Emily for Parties: Phillips, Frank for Parties: Runnels, Tracy
09/28/2022	Final Order/Judgment/Decree (closes entire case) (Judicial Officer: Johnson, James S.) <i>Vacated by Court of Appeals 4-28-23----Order of Dismissal</i> for Parties: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Caruthers, Kari for Parties: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: City of Denton, Texas for Parties: Duff, Donald for Parties: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas for Parties: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Maguire, Alison for Parties: Meisner, Emily for Parties: Rios, Rosa for Parties: Runnels, Tracy for Parties: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
09/28/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
09/30/2022	Notice of Judgment/Appealable order sent to: Party: Denton County District Attorney Party: Gladden, Richard Party: Hayes, Richard D. Party: Overcash, David V.
09/30/2022	Notice of Appeal <i>Plaintiff's Notice of Accelerated Appeal Under Rule 28.1(a) and Notice of General Appeal under 25.1</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy
09/30/2022	Letter Regarding Appeal from Clerk <i>request for designations</i> Sent to:: Gladden, Richard Sent to:: Hayes, Richard D. Sent to:: Overcash, David V.
09/30/2022	Designation of Clerk's Record for Appeal Party: Gladden, Richard
10/03/2022	Record/Copy Request Front Counter <i>Processed and Completed in Person</i>
10/05/2022	Record/Copy Request Front Counter <i>Processed and Completed in Person</i>
10/05/2022	Record/Copy Request Front Counter <i>Processed and Completed in Person</i>
10/05/2022	Motion to Strike <i>City-Affiliated Defendant's Motion to Strike Plaintiffs' Notice of Accelerated Appeal Under Rule 28.1(a) and Notice of General Appeal Under Rule 25.1</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
10/05/2022	Motion <i>Motion to Sever Plaintiffs' General Appeal and Alternative Motion to Strike</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
10/05/2022	Filed document <i>Bill of costs for plaintiff's in district court</i>
10/05/2022	Motion <i>City-Affiliated Defendants' Motion for Award of Attorneys' Fees</i> Party: Overcash, David V.
10/05/2022	Designation of Clerk's Record for Appeal Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
10/05/2022	Objection(s) or Complaint <i>City-Affiliated Defendants' Objections to Plaintiffs' Designations of Clerk's Record on Appeal, and Alternative Designations of Clerk's Record</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
10/05/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>

10/05/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
10/05/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
10/05/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
10/24/2022	Objection(s) or Complaint <i>Plaintiffs' Objection and Request for Enforcement of Automatic Stay under Section 51.014(b), TEX. CIV. PRAC. & REM. CODE</i> Party: Caruthers, Kari Party: Maguire, Alison Party: Meisner, Emily Party: Runnels, Tracy
10/24/2022	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
10/28/2022	Notice <i>Notice of Conference RE: October 5 Filings</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Rios, Rosa Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
10/28/2022	Motion/Petition To Modify <i>City-Affiliated Defendants' Motion to Modify Judgment</i>
10/28/2022	Proposed Order - printed for submission to the Court by:
11/21/2022	Letter Regarding Appeal from Clerk Sent to:: Gladden, Richard Sent to:: Overcash, David V.
11/28/2022	Letter Regarding Appeal from Clerk Sent to:: Gladden, Richard Sent to:: Overcash, David V.
11/29/2022	Clerk's Records Sent to Court of Appeals
11/29/2022	Court of Appeals Correspondence <i>Request for Supplemental Clerk's Record</i>
11/30/2022	Court of Appeals Correspondence <i>Questioning Jurisdiction</i>
12/09/2022	Clerk's Records Sent to Court of Appeals <i>Supplemental Clerk's Record sent to Court of Appeals</i>
12/27/2022	Court of Appeals Correspondence
12/27/2022	Opinion and Judgment (from Court of Appeals) <i>Appeal dismissed</i>
12/27/2022	Memorandum Opinion and Judgment for the Court of Appeals
01/23/2023	Court of Appeals Correspondence <i>Opinion and Judgment issued</i>
01/23/2023	Memorandum Opinion and Judgment for the Court of Appeals <i>on Rehearing, Appeal Dismissed as Moot</i>
02/17/2023	Court of Appeals Correspondence <i>Corrected Opinion and Judgment Issued</i>
02/17/2023	Opinion and Judgment (from Court of Appeals) <i>Corrected Judgment-Appeal Dismissed</i>
02/17/2023	Memorandum Opinion for the Court of Appeals <i>Corrected Memoradum Opinion - Appeal dismissed as Moot</i>
04/28/2023	Court of Appeals Correspondence
04/28/2023	Mandate from Court of Appeals <i>underlying court orders vacated and appeal dismissed</i>
04/28/2023	Court of Appeals Correspondence <i>Bill of Costs</i>
06/23/2023	Motion to Dismiss <i>and for Entry of Final Judgment</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
06/26/2023	Amended <i>Motion to Dismiss and for Entry of Final Judgment</i> Party: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas
06/28/2023	Final Order/Judgment/Decree (closes entire case) (Judicial Officer: Johnson, James S.) <i>Order on City Affiliated Defendant's Motion to Dismiss and for Entry of Final Judgment</i> for Parties: Brandon Chase-McGee, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Brian Beck, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Caruthers, Kari for Parties: Chris Watts, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: City of Denton, Texas for Parties: Duff, Donald for Parties: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas for Parties: Jesse Davis, in his Official Capacity as Councilmember for the City of Denton, Texas for Parties: Maguire, Alison for Parties: Meisner, Emily for Parties: Phillips, Frank for Parties: Rios, Rosa for Parties: Runnels, Tracy for Parties: Vicki Bird, in her Official Capacity as Councilmember for the City of Denton, Texas
06/28/2023	Order (Judicial Officer: Johnson, James S.) <i>on City Affiliated Defendant's Motion to Dismiss and for Entry of Final Judgment (DUPLICATE)</i>
06/30/2023	Notice of Judgment/Appealable order sent to: Party: Denton County District Attorney Party: Gladden, Richard Party: Hayes, Richard D. Party: Overcash, David V.

FINANCIAL INFORMATION

	Attorney Overcash, David V.	
	Total Financial Assessment	10.00
	Total Payments and Credits	10.00
	Balance Due as of 08/11/2023	0.00
12/05/2022	Transaction Assessment	10.00

8/11/23, 8:30 PM		https://justice1.dentoncounty.gov/PublicAccessDC/CaseDetail.aspx?CaseID=2913141		
12/05/2022	Payment	Receipt # 2022-35509	Adams, Crystal	(10.00)
	Defendant City of Denton, Texas			
	Total Financial Assessment			80.00
	Total Payments and Credits			80.00
	Balance Due as of 08/11/2023			0.00
01/19/2023	Transaction Assessment			80.00
01/19/2023	TexFile Payment	Receipt # 2023-2112	City of Denton, Texas	(35.00)
01/19/2023	State Credit			(45.00)
	Defendant Rios, Rosa			
	Total Financial Assessment			113.00
	Total Payments and Credits			113.00
	Balance Due as of 08/11/2023			0.00
11/21/2022	Transaction Assessment			113.00
11/28/2022	Payment	Receipt # 2022-34833	ADAMS, CRYSTAL	(113.00)
	Plaintiff Maguire, Alison			
	Total Financial Assessment			1,152.00
	Total Payments and Credits			1,152.00
	Balance Due as of 08/11/2023			0.00
06/09/2022	Transaction Assessment			350.00
06/09/2022	TexFile Payment	Receipt # 2022-16619	Maguire, Alison	(213.00)
06/09/2022	State Credit			(137.00)
06/10/2022	Transaction Assessment			32.00
06/10/2022	TexFile Payment	Receipt # 2022-16778	Maguire, Alison	(32.00)
07/26/2022	Transaction Assessment			48.00
07/26/2022	TexFile Payment	Receipt # 2022-21542	Maguire, Alison	(48.00)
09/16/2022	Transaction Assessment			32.00
09/20/2022	Payment	Receipt # 2022-27257	Gladden, Richard	(32.00)
11/21/2022	Transaction Assessment			680.00
11/26/2022	Transaction Assessment			10.00
11/29/2022	Payment	Receipt # 2022-34955	Gladden, Richard	(680.00)
11/29/2022	Payment	Receipt # 2022-34956	Gladden, Richard	(10.00)

ATTACHMENT

4

**ALISON MAGUIRE; KERI
CARUTHERS; TRACY RUNNELS;
and EMILY MEISNER;
*Plaintiffs***

v.

**ROSA RIOS, in her official capacity as
City Secretary of the CITY OF DENTON,
TEXAS;**

the CITY OF DENTON, TEXAS;

**GERARD HUDSPETH, in his official
Capacity as Mayor of the City of Denton,
Texas;**

**VICKI BYRD, BRIAN BECK, JESSE
DAVIS, CHRIS WATTS, and
BRANDON CHASE McGEE, in their
Official capacities as Councilmembers
of the City of Denton, Texas; and**

**FRANK PHILLIPS, in his Official
Capacity as Denton County Elections
Administrator**

Defendants

DENTON COUNTY, TEXAS

ORDER ON CITY-AFFILIATED DEFENDANTS' JOINT TRCP 91a MOTION TO DISMISS - Page 1 of 3

Alison Maguire (in her individual capacity); plaintiffs Keri Caruthers, Tracy Runnels, and Emily Meisner; and from the City-Affiliated Defendants. After due consideration of the filings in this case and the matters presented, it is the opinion of this Court that the movants are entitled to the relief requested in the Motion to Dismiss, and as authorized by Texas Rule of Civil Procedure 91a, the relief requested by City-Affiliated Defendants therein is hereby **GRANTED** and all plaintiffs' claims against them are now dismissed. IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED the claims asserted in Plaintiffs' live pleading are **DISMISSED WITH PREJUDICE** to the refiling of same, and as to all other claims brought, or which could have been brought, against the City-Affiliated Defendants in this lawsuit, and said defendants are fully released and dismissed from these proceedings.

[If no separate order will issue on City-Affiliated Defendants' Motion for Award of Attorney Fees, to also include the next paragraph below, otherwise it can be omitted:]

In reaching its ruling on the Motion to Dismiss, the Court [detached improper exhibits to Plaintiffs' live pleading as follows: (insert description of detached exhibits)]
OR [considered all exhibits attached to Plaintiffs' live pleading].

[If no separate order will issue on City-Affiliated Defendants' Motion for Award of Attorney Fees, to also include the next paragraph below, otherwise it can be omitted:]

Plaintiffs' suit was brought under Chapter 37 of the Texas Civil Practice & Remedies Code, and in accordance with § 37.009 of that chapter, it is further ORDERED, ADJUDGED, AND DECREED that the City-Affiliated Defendants shall jointly be awarded with an award of costs and reasonable and necessary attorneys' fees in the amount of **\$ 28,500.00 (twenty-eight thousand, five hundred dollars and zero**

cents), to be paid by the parties-plaintiff in the following shares:

<u>Plaintiff</u>	<u>% of total award</u>
1) Alison Maguire, in her individual capacity	_____ %
2) Keri Caruthers	_____ %
3) Emily Meisner	_____ %
4) Tracy Runnels	_____ %

Each party-plaintiff listed above with a share greater than zero percent shall tender the corresponding amount of this award to party-defendant City of Denton, Texas, on or before the 90th calendar day following the date this judgment is signed, or on or before the 30th day following the final resolution of any appeal taken in this case, whichever is last to occur.

This is a FINAL JUDGMENT disposing of all issues and all parties in this cause.

All prior interlocutory orders of the Court in this cause are hereby made final.

DATE:

JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Crystal Adams on behalf of David Overcash
Bar No. 24075516
cadams@wtmlaw.net
Envelope ID: 69676220
Status as of 1/19/2023 4:48 PM CST

Associated Case Party: Donald Duff

Name	BarNumber	Email	TimestampSubmitted	Status
Richard D Hayes		rhayes@hbwwlaw.com	10/28/2022 1:23:39 PM	SENT
David Kruger		dkruger@hbwwlaw.com	10/28/2022 1:23:39 PM	SENT
William Scazzero		wscazzero@hbwwlaw.com	10/28/2022 1:23:39 PM	SENT

Associated Case Party: Rosa Rios

Name	BarNumber	Email	TimestampSubmitted	Status
David Overcash		david.overcash@wtmlaw.net	10/28/2022 1:23:39 PM	SENT
Caleb Garcia		caleb.garcia@cityofdenton.com	10/28/2022 1:23:39 PM	SENT

Associated Case Party: City of Denton, Texas

Name	BarNumber	Email	TimestampSubmitted	Status
David Overcash		david.overcash@wtmlaw.net	10/28/2022 1:23:39 PM	SENT
Caleb Garcia		caleb.garcia@cityofdenton.com	10/28/2022 1:23:39 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Matthew Shovlin		matt.shovlin@dentoncounty.com	10/28/2022 1:23:39 PM	SENT
John Feldt		john.feldt@dentoncounty.com	10/28/2022 1:23:39 PM	SENT

Associated Case Party: Alison Maguire

Name	BarNumber	Email	TimestampSubmitted	Status
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Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Crystal Adams on behalf of David Overcash
Bar No. 24075516
cadams@wtmlaw.net
Envelope ID: 69676220
Status as of 1/19/2023 4:48 PM CST

Associated Case Party: Alison Maguire

Richard Gladden		richscot1@hotmail.com	10/28/2022 1:23:39 PM	SENT
-----------------	--	-----------------------	-----------------------	------

Associated Case Party: Emily Meisner

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Gladden		richscot1@hotmail.com	10/28/2022 1:23:39 PM	SENT

Associated Case Party: Tracy Runnels

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Gladden		richscot1@hotmail.com	10/28/2022 1:23:39 PM	SENT

Associated Case Party: Kari Caruthers

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Gladden		richscot1@hotmail.com	10/28/2022 1:23:39 PM	SENT

ATTACHMENT

5

CAUSE NO. 22-10794-393

ALISON MAGUIRE;	§	
KERI CARUTHERS; and	§	
OLIVIA JEFFERS;	§	
<i>Plaintiffs</i>	§	IN THE DISTRICT COURT
v.	§	
	§	
GERARD HUDSPETH, in his official	§	
Capacities as Mayor of the City	§	393rd JUDICIAL DISTRICT
of Denton, Texas, as Presiding Officer	§	
of the Final Canvassing Authority for	§	
the City of Denton, and as Presiding	§	
Officer of Authority Ordering Election;	§	DENTON COUNTY, TEXAS
<i>Defendant.</i>	§	

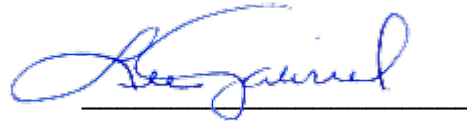
ORDER ON DEFENDANT GERARD HUDSPETH'S TRCP 91a MOTION TO DISMISS

On March 31, 2023, the court considered the motion for dismissal of all of the causes of action and claims asserted by Plaintiffs Alison Maguire, Keri Caruthers, and Olivia Jeffers (collectively "Plaintiffs") in the above-referenced suit, filed by Defendant Gerard Hudspeth ("Defendant") under Texas Rule of Civil Procedure 91a ("TRCP 91a Motion"). Having considered the arguments timely submitted by the parties, a decision on the matters presented has been reached, and it is now therefore ORDERED, ADJUDGED, AND DECREED that:

1. The Defendants' TRCP 91a Motion is GRANTED. All of Plaintiffs' claims in their live pleading are therefore DISMISSED as having no basis in law, or no basis in fact, or both; and
2. Plaintiffs' suit included one or more claims for declaratory judgment governed by Chapter 37 of the Texas Civil Practice & Remedies Code, and Defendant sought to recover from Plaintiffs an award of costs and reasonable and necessary attorneys' fees under Tex. Civ. Prac. & Rem. Code § 37.009. With respect to the Defendant's request for attorney fees and costs as incorporated to the TRCP 91a Motion, the court DENIES the request for such an award.

ORDER ON DEFENDANT GERARD HUDSPETH'S TRCP 91a MOTION TO DISMISS

IT IS SO ORDERED, on this the 6th day of April, 2023:

A handwritten signature in blue ink, appearing to read "Hejzard", is written over a horizontal line.

JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Crystal Adams on behalf of David Overcash

Bar No. 24075516

cadams@wtmlaw.net

Envelope ID: 74380353

Filing Code Description: Final Order/Judgment/Decree (closes entire case)

Filing Description: Order on Defendant Gerard Hudspeth's TRCP 91a Motion to Dismiss

Status as of 4/6/2023 3:36 PM CST

Associated Case Party: Alison Maguire

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Gladden		richscot1@hotmail.com	4/5/2023 4:17:50 PM	SENT

Associated Case Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas

Name	BarNumber	Email	TimestampSubmitted	Status
David Overcash		david.overcash@wtmlaw.net	4/5/2023 4:17:50 PM	SENT

ATTACHMENT

6

REGISTER OF ACTIONS
CASE NO. 22-10794-393

Alison Maguire, Keri Caruthers, and Olivia Jeffers VS Gerard Hudspeth in his Official Capacity as Mayor of the City Council of the City of Denton, Texas; as Presiding Officer of Final Canvassing Authority for the City of Denton; and as Presiding Officer of Authority Ordering Election

§
§
§
§
§
§

Case Type: Other Civil
Date Filed: 12/20/2022
Location: 393rd Judicial District Court
Judicial Officer: Robison, Douglas
File Custody/Location: District Clerk's Office

RELATED CASE INFORMATION

Related Cases
22-4543-431 (Related Civil Case)

PARTY INFORMATION

Defendant	Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas	Lead Attorneys David V. Overcash <i>Retained</i> 2591 Dallas PKWY STE 300 Frisco, TX 75034 972-712-3530(W) 972-712-3540(F)
Plaintiff	Caruthers, Keri Anne	Richard Gladden <i>Retained</i> 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)
Plaintiff	Jeffers, Olivia Ward	Richard Gladden <i>Retained</i> 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)
Plaintiff	Maguire, Alison	Richard Gladden <i>Retained</i> 1204 West University Drive, Suite 307 Denton, TX 76201 940-323-9300(W) 940-539-0093(F)

EVENTS & ORDERS OF THE COURT

	OTHER EVENTS AND HEARINGS		
12/20/2022	Plaintiff's Original Petition for Declaratory Relief, Interim Injunctive Relief, and Permanent Injunctive Relief		
12/21/2022	Request for Issuance of Citation Made by: Caruthers, Keri Anne Made by: Jeffers, Olivia Ward Made by: Maguire, Alison		
12/21/2022	Citation E-served in Env #71226684 Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas	Served	12/22/2022
		Returned	12/22/2022
12/22/2022	Service Returned for Citation to Gerard Hudspeth Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas		
12/29/2022	Order of Voluntary Recusal (Judicial Officer: Robison, Douglas)		
01/04/2023	Order of Assignment - Honorable Lee Gabriel		
01/05/2023	Email Correspondence from: District Clerk's Office to Eighth Administrative Region		
01/09/2023	Email Correspondence from: Larry Harbour		
01/17/2023	Appearance of Counsel - Notice of Appearance Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas Party 2: Overcash, David V.		
01/17/2023	Objection(s) or Complaint to Improper Venue & Motion to Transfer (431st District Court) Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas		
01/17/2023	Original Answer & Plea to the Jurisdiction - Defendant Gerard Hudspeth's Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas		
01/17/2023	Proposed Order (will not be signed) The court coordinator or judge has indicated the submitted proposed order will not be signed.		
02/02/2023	Answer(s) and/or Response(s) to Defendant's Objections to Venue, and to Defendants Motion to Transfer (Plaintiff's) Party: Caruthers, Keri Anne Party: Jeffers, Olivia Ward Party: Maguire, Alison		
02/03/2023	Letter to Judge From: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas		
02/21/2023	Motion to Dismiss Defendant Hudspeth's TRCP 91a Motion to Dismiss		

	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
02/24/2023	Reply <i>Defendant Gerard Hudspeth's Reply in Support of Objection to Improper Venue & Motion to Transfer</i>
	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
03/02/2023	Plea to Jurisdiction <i>(Second)</i>
	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
03/14/2023	Hearing (1:30 PM) (Judicial Officer Robison, Douglas) <i>This will be heard by Justice Gabriel.</i>
03/14/2023	Motion in Limine
	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
03/14/2023	Proposed Order (will not be signed) <i>The court coordinator or judge has indicated the submitted proposed order will not be signed.</i>
03/16/2023	Judicial Docket Entry (Judicial Officer: Gabriel, Lee) <i>Hearing set on Defendant's Objection to Improper Venue and Motion to Transfer; Pltf's. counsel and Deft's. counsel poresent and announced Ready; neither presented anything in addition to the written motion and response; Ct. denied Motion; Deft's. counsel to prepare and present Order LG</i>
03/17/2023	Order (Judicial Officer: Gabriel, Lee) <i>on Defendant Gerard Hudspeth's Objection to Improper Venue & Motion to Transfer</i>
03/24/2023	Answer(s) and/or Response(s) <i>in Opposition to Defendant's Rule 91a Motion to Dismiss</i>
	Party: Caruthers, Keri Anne
	Party: Jeffers, Olivia Ward
	Party: Maguire, Alison
03/27/2023	Answer(s) and/or Response(s) <i>in Opposition to Defendant's "First" and "Second" Pleas to Jurisdiction (Plaintiff's)</i>
	Party: Maguire, Alison
03/29/2023	Application <i>(Plaintiffs' Verified) for a Temporary Injunction</i>
	Party: Caruthers, Keri Anne
	Party: Jeffers, Olivia Ward
	Party: Maguire, Alison
03/29/2023	Reply <i>in Support of TRCP 91a Motion to Dismiss - Defendant Gerard Hudspeth's</i>
	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
03/31/2023	Hearing (1:30 PM) (Judicial Officer Robison, Douglas) <i>This will be heard by Justice Gabriel.</i>
04/04/2023	Affidavit(s) <i>of David Overcash - First</i>
	Filed by: Overcash, David V.
04/04/2023	Affidavit(s) <i>of David Overcash - Second</i>
	Filed by: Overcash, David V.
04/05/2023	Jury Demand/Request <i>Concerning Award of Attorney's Fees</i>
	Rec'd from: Caruthers, Keri Anne
	Rec'd from: Jeffers, Olivia Ward
	Rec'd from: Maguire, Alison
04/05/2023	Jury fee paid <i>(This entry only represents the payment of the jury fee - not a document filed with the clerk.)</i>
04/06/2023	Final Order/Judgment/Decree (closes entire case) (Judicial Officer: Gabriel, Lee) <i>Order on Defendant Gerard Hudspeth's TRCP 91a Motion to Dismiss</i>
	for Parties: Caruthers, Keri Anne
	for Parties: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
	for Parties: Jeffers, Olivia Ward
	for Parties: Maguire, Alison
04/10/2023	Notice of Judgment/Appealable order sent to:
	Party: Gladden, Richard
	Party: Overcash, David V.
04/10/2023	Motion for Summary Judgment <i>as a Matter of Law, Concerning Defendant's Application for Attorney's Fees Sought Directly under The Texas UDJA</i>
	Party: Caruthers, Keri Anne
	Party: Jeffers, Olivia Ward
	Party: Maguire, Alison
05/03/2023	Response(s) <i>to Defendants Affidavits in Support of an Award of Attorneys Fees - Plaintiffs'</i>
	Party: Caruthers, Keri Anne
	Party: Jeffers, Olivia Ward
	Party: Maguire, Alison
06/26/2023	Motion to Dismiss <i>Defendant Gerard Hudspeth's Motion to Dismiss and For Entry of Final Judgment</i>
	Party: Gerard Hudspeth in his Official Capacity as Mayor of the City of Denton, Texas
07/14/2023	Final Order <i>Order on Defendant Gerard Hudspeth's Motion to Dismiss and for Entry of Final Judgment</i>

FINANCIAL INFORMATION

	Plaintiff Maguire, Alison		
	Total Financial Assessment		
	Total Payments and Credits		
	Balance Due as of 08/11/2023		
12/21/2022	Transaction Assessment		368.00
12/21/2022	TexFile Payment		368.00
12/21/2022	State Credit		(137.00)
12/21/2022	Transaction Assessment		8.00
12/21/2022	TexFile Payment		(8.00)
04/05/2023	Transaction Assessment		10.00
04/05/2023	TexFile Payment		(10.00)

ATTACHMENT

7



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

City Council

Tuesday, June 6, 2023

2:00 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 2:00 P.M. IN THE COUNCIL WORK SESSION ROOM

CLOSED MEETING BEGINS IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Individuals may speak during a Council meeting under one of the following categories:

Open Microphone:

At regular meetings only, individuals can speak on any topic that is not on the agenda for no longer than four (4) minutes per individual. This portion of the meeting occurs immediately after the start of the regular meeting session. Please note, Council members cannot engage in a discussion on topics presented during this portion and there are limited slots available for this portion of the meeting.

Comments on Agenda Items:

Public comments can be given for any item considered by the Council, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the City Secretary prior to the item being called.

2. In Person for Public Hearing Items:

For public hearing items, speaker cards are encouraged but not required.

3. eComment:

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the City Council immediately upon submission and recorded by the City Secretary into the Minutes of the Meeting.

4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at www.cityofdenton.com/publicmeetings until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, June 6, 2023, at 2:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION**1. Citizen Comments on Consent Agenda Items**

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

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

This section includes questions members of the City Council direct to staff on any item listed on this agenda. Answers are compiled in a report and provided to the City Council and members of the public by clicking on Exhibit 1 of the item below. The link found within the document will provide access to the supporting documentation. The report will be available prior to start of the meeting. Any handouts distributed at the meeting will also be uploaded to the below link by 12:00 p.m. on the business day following the meeting.

- A. [ID 23-636](#) Meeting Questions, Responses & Handouts

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

3. Work Session Reports

- A. [ID 23-424](#) Receive a report, hold a discussion, and give staff direction regarding Audit Project 032 - Fleet Services Operations: Fuel Card Administration.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Audit of Fleet Services Operations - Fuel Card Administration](#)

[Exhibit 3 - Presentation](#)

- B. [ID 23-375](#) Receive a report, hold a discussion, and give staff direction regarding an update on the Wastewater Master Plan.

[Estimated Presentation/Discussion Time: 45 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

- C. [ID 23-421](#) Receive a report, hold a discussion, and give staff direction regarding the introduction of the Denton County Transportation Authority (DCTA) staffing updates.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

- D. [ID 23-919](#) Receive a report, hold a discussion and give staff direction regarding the City of Denton and Texas Department of Transportation (TxDOT) collaboration including efforts relating to safety and planning measures.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

- E. [ID 23-216](#) Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- 1). Request for staff to research and prepare an Informal Staff Report (ISR) on Community Benefits Ordinances.
- 2). Request to bring the implementation of a Fair Chance Hiring Ordinance forward for Council consideration during the June 27 City Council meeting.
- 3). Request for a work session on the creation of a Public Health Official position.

[Estimated Presentation/Discussion Time: 30 minutes]

Attachments:

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance 21-1837](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Fair Chance Hiring Agenda Information Sheet](#)

[Exhibit 5 - Fair Chance Hiring Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting in the Council Work Session Room to consider specific item(s) when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

1. Closed Meeting:

- A. [ID 23-1074](#) **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. 22-10794-393, styled "Alison Maguire, Keri Caruthers, and Olivia Jeffers v. Gerard Hudspeth, in his Official Capacities as Mayor of the City of Denton, Texas as Presiding Officer of the Final Canvassing Authority for the City of Denton, and as Presiding Officer of Authority Ordering Election" pending in the 393rd District Court, Denton County, Texas and litigation in Cause No. 22-4543-431, styled "Alison Maguire, Keri Caruthers, Tracy Runnels, and Emily Meisner v. Rosa Rios, in her Official Capacity as City Secretary of the City of Denton, Texas, the City of Denton, Texas, Donald Duff, in his Official Capacity as Representative of a Committee of Electors in the City of Denton, Texas; and, Frank Phillips, in his Official Capacity as Denton County Elections Administrator" pending in the 431st District 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.

Any final action, decision, or vote on a matter deliberated in a Closed Meeting will only be taken in an Open Meeting that is held in compliance with Texas Government Code, Chapter 551, except to the extent such final decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

NOTE: Any item for which a formal action at the Regular Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.

Following the Closed Meeting, the City Council will reconvene in Open Meeting to take action, if any, on matters discussed in closed session.

AFTER DETERMINING THAT A QUORUM IS PRESENT, THE REGULAR MEETING OF THE CITY OF DENTON CITY COUNCIL WILL CONVENE AT 6:30 P.M. IN THE COUNCIL CHAMBERS AT CITY HALL, 215 E. MCKINNEY STREET, DENTON, TEXAS AT WHICH THE FOLLOWING ITEMS WILL BE CONSIDERED:

1. PLEDGE OF ALLEGIANCE

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

"Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible."

2. PROCLAMATIONS/PRESENTATIONS

- A. [ID 23-881](#) Proclamation: Elder Abuse Awareness Month

- B. [ID 23-961](#) Proclamation: Waste and Recycling Workers Week
- C. [ID 23-1145](#) Proclamation: Diann Rozell Huber Day

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.

- a. [ID 23-1158](#) Mr. Stephen Dillenberg regarding the practical interpretation of the US Human Capital Index Ranking: #36 overall with the most powerful armed forces and largest economy.

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.

During open microphone reports under this section of the agenda, the Council may listen to citizens speak. However, because notice of the subject of the open microphone report has not been provided to the public in advance, the Texas Open Meetings Act limits any deliberation or decision by the Council to: a proposal to place the item on a future agenda; a statement of factual information; or a recitation of existing policy. Council Members may not ask the open microphone speakers questions or discuss the items presented during open microphone reports.

NOTE: If audio/visual aids during presentations to Council are needed, they must be submitted to the City Secretary 24 hours prior to the meeting.

4. CONSENT AGENDA

Each of these items is recommended by Staff or a board, commission, and committee. Approval thereof will be strictly on the basis of the those recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these items prior to consideration.

For those items recommended by a specific board, commission, or committee, the agenda item will reference that recommendation. To view the video of the related board, commission, or committee meeting, as applicable, a link can be found within the applicable supporting documentation (Exhibit 1).

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – W). This listing is provided on the Consent Agenda to allow Council Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, the Consent Agenda Items will be approved with one motion. If items are pulled for separate discussion, they may be considered as the first items following approval of the Consent Agenda.

- A. [ID 23-031](#) Consider approval of the minutes of the May 2, 2023 Regular, May 16, 2023 Special Called, and May 16, 2023 Regular meetings.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - May 2, 2023 Meeting Minutes - Draft](#)
 [Exhibit 3 - May 16, 2023 Special Called Meeting Minutes - Draft](#)
 [Exhibit 4 - May 16, 2023 Regular Meeting Minutes - Draft](#)

- B. [ID 23-061](#) Consider nominations/appointments to the City’s Boards, Commissions, and Committees: Special Citizens Bond Advisory Committee.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Nominations List](#)

- C. [ID 23-774](#) Consider approval of a resolution of the City of Denton, Texas adopting the City of Denton’s Vegetation Management Program (“VMP”) to provide rules and policies necessary to manage transmission system and distribution providers’ vegetation management standards to provide a safe system environment for customers and the general public to minimize tree related outages caused during high wind, snow, and ice storms, and trees losing their branches from disease or old age; and providing an effective date. The Public Utility Board recommends approval (6-0).

Attachments: [Exhibit 1: Agenda Information Sheet](#)
 [Exhibit 2: Resolution](#)

- D. [ID 23-1030](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying a contract and an extension thereto between the City of Denton and Akimeka, LLC, through March 31, 2024, to provide data related to Denton Municipal Electric’s EV chargers in connection with a USDOE Project; and declaring an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)
 [Exhibit 2 Ordinance](#)
 [Exhibit 3 Original Akimeka Agreement](#)
 [Exhibit 4 Akimeka Agreement Amendment](#)
 [Exhibit 5 LLC Member Check](#)

- E. [ID 23-1142](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing payment in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) pursuant to an engagement between the City of Denton and Carolyn Ahrens, Attorney at Law approved by the City Attorney on March 11, 2022, to provide legal services to the City of Denton for negotiating water rights, supply contracts, and submitting permit applications; providing for the expenditure of funds therefor; and

providing an effective date.

Attachments: [Exhibit 1 - AIS](#)
 [Exhibit 2 - Ordinance](#)

- F. [ID 23-931](#) Consider adoption of an ordinance of the City of Denton amending the provisions of Ch. 21 Art. 1 Sec 21.6 of the code of ordinances “Prohibited Acts” to include an offense titled “aggressive solicitation” outlining prohibited acts; providing for a severability clause; providing for a savings clause; providing for a penalty; providing for codification; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Redline Ch. 21 ART. 1 Sec 21.6](#)
 [Exhibit 3 - Ordinance and Sec. 21 6 Clean](#)

- G. [ID 23-1109](#) Consider adoption of an ordinance of the City of Denton amending the provisions of Ch. 16, Art. III, Sec. 16-72 to remove panhandling from the definition of soliciting; providing for a severability clause; providing for a savings clause; providing for codification; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Redline Ch. 16, ART. III, Sec. 16-72](#)
 [Exhibit 3 - Ordinance and Ch. 16, ART. III, Sec. 16-72 Clean](#)

- H. [ID 23-1029](#) Consider adoption of an ordinance by the City of Denton ratifying and authorizing the City Manager, or designee, to execute and deliver an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for bridge replacement or rehabilitation of the state system project located at Trinity Road at Cooper Creek in the City of Denton; Providing for the use of federal funds for a project of 100% funding with no local match required, in the amount of nine hundred seventy-three thousand and eighty-one dollars (\$973,081.00) for CSJ #0918-46-300; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance, Advanced Funding Agreement \(AFA\)](#)

- I. [SED23-0002](#) Consider approval of a resolution amending the Southeast Denton Area Plan Steering Committee to add members. The Southeast Denton Area Plan is generally bounded by East McKinney Street to the north, South Bell Avenue to the west, Dallas Drive and Shady Oaks Drive to the south, and South Woodrow Lane to the east; and providing an effective date.

Attachments: [Exhibit 1. Agenda Information Sheet](#)
 [Exhibit 2. Draft Resolution](#)

- J. [ID 23-998](#) Consider approval of a resolution of the City of Denton ratifying the submission of an application to the State of Texas, Office of the Governor, 2023 Urban Area Security Initiative (UASI) grant program funded through the US Department of Homeland Security in the amount of \$73,087.86 for hazardous material detection equipment; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)

[Exhibit 2 Resolution](#)

- K. [ID 23-999](#) Consider approval of a resolution of the City of Denton ratifying the submission of an application to the State of Texas, Office of the Governor, 2023 Urban Area Security Initiative (UASI) Law Enforcement Terrorism Prevention Activities (LETPA) grant program funded through the US Department of Homeland Security in the Amount of \$66,115 for tactical communication equipment and personal protective equipment; and providing an effective date.

Attachments: [Exhibit 1 Agenda Information Sheet](#)

[Exhibit 2 Resolution](#)

- L. [ID 23-1028](#) Consider approval of a resolution of the City of Denton ratifying the submission of an application to the U.S. Department of Agriculture - Forest Service Urban and Community Forestry Program in the amount not to exceed \$2,000,000 for planting of trees, removal of invasive Chinese Privet, restoring native habitat, and education to the public of these activities; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Resolution](#)

- M. [ID 23-1031](#) Consider adoption of an ordinance by the City of Denton authorizing the City Manager to execute nine (9) agreements for funding under the Denton County Transportation Reinvestment Program (TRiP), providing financial assistance to member cities for transit-supportive projects, through the Denton County Transportation Authority (DCTA) in the amount of \$3,980,578 for the Fiscal Year (FY) 2022 funding period.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Mayhill Agreement](#)

[Exhibit 4 - SED-A Agreement](#)

[Exhibit 5 - SED-B Agreement](#)

[Exhibit 6 - UPRR Agreement](#)

[Exhibit 7 - Loop 288 Agreement](#)

[Exhibit 8 - Downtown Agreement](#)

[Exhibit 9 - Morse Street Agreement](#)

[Exhibit 10 - A-Train Street Agreement](#)

[Exhibit 11 - All-Way Crosswalk Agreement](#)

- N. [ID 23-1055](#) Consider approval of a resolution of the City of Denton ratifying the submission of an application to the North Central Texas Council of Governments (NCTCOG) FY 2024 to 2025 Solid Waste Implementation Grant Program in the amount of \$70,850 for a Styrofoam densifier; and providing an effective date.

Attachments: [Exhibit 1 – Agenda Information Sheet](#)

[Exhibit 2 - Resolution](#)

- O. [ID 23-1008](#) 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 Kimley-Horn and Associates, Inc., to provide permitting assistance for two (2) new Wastewater Reclamation Facilities for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-028 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$240,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- P. [ID 23-1010](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 8154 for the Emily Fowler Library Remodel for the Facilities Department; and providing an effective date (RFP 8154).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)

- Q. [ID 23-1011](#) 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 Texas Series of Lockton Companies, LLC, for property and casualty insurance brokerage services for Risk Management; providing for the expenditure of funds therefor; and providing an effective date (RFP 8203 - awarded to Texas Series of Lockton Companies, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$980,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Pricing Evaluation](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance and Contract](#)

- R. [ID 23-1048](#) 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 Guidehouse Inc., through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract No. DIR-CPO-4947, for the JD Edwards system upgrade for the Technology Services Department; providing for the expenditure of funds therefor; and providing an effective date (File 8236 - awarded to Guidehouse Inc., in the not-to-exceed amount of \$200,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- S. [ID 23-1049](#) 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 Direct Packet, Inc. DBA OneVision Solutions, through the Department of Information Resources (DIR) Cooperative Purchasing Network Contract Number DIR-CPO-5088 for

Technology-Based Recording and Conferencing Product and Related Services; through the Buy Board Cooperative Purchasing Network Contract 661-22 for Technology Equipment, Products, Services and Software & Contract and 644-21 for Audio Visual Equipment and Supplies; through The Interlocal Purchasing System (TIPS) Cooperative Program Contract #200105 Technology Solutions, Products and Services & Contract and #21050301 for Networking Equipment, Software, and Services; providing for the expenditure of funds therefor; and providing an effective date (File 8237 - awarded to Direct Packet, Inc. DBA OneVision Solutions, 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 \$1,750,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- T. [ID 23-1090](#) 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 Kroll, LLC, for property appraisal services for insurance purposes for Risk Management as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8197 - Professional Services Agreement for appraisal services awarded to Kroll, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$114,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 4 - Ordinance and Contract](#)

- U. [ID 23-1092](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to authorize the spend for an insurance binder to Archer Contingent Energy Risk, LLC, for forced outage insurance for the Denton Energy Center for the Summer of 2023; providing for the expenditure of funds therefor; and providing an effective date (RFP 8254 - authorizing the spend for Power Plant Forced Outage Insurance Coverage for the Summer of 2023, and awarding such insurance binder to Archer Contingent Energy Risk, LLC, in the not-to-exceed amount of \$1,050,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - LLC Members](#)
 [Exhibit 3 - Ordinance](#)

- V. [ID 23-1107](#) 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 Flower Mound, under the Texas Government Code Section 791.001, to authorize the Town of Flower Mound and the 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 8278 -

award an Interlocal Cooperative Purchasing Agreement with the Town of Flower Mound).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Interlocal Agreement](#)

- W. [ID 23-1161](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or designee, to execute and deliver an Advance Funding Agreement (“AFA”) for Highway Safety Improvement Project (“HSIP”) off-system between the City of Denton and the Texas Department of Transportation (“TxDOT”) providing for the furnishing of traffic signal equipment for the intersections of traffic signals and pedestrian facilities at the intersections of Hickory Street and Fry Street and West Oak Street and Thomas Street in the City of Denton; providing for the expenditure of funds for a total not to exceed \$120,199.00 (\$34,235.30 for the direct state costs and \$85,964.00 for furnishing traffic signal equipment); and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance, Advanced Funding Agreement \(AFA\), Sole Source Appro](#)

5. ITEM(S) FOR INDIVIDUAL CONSIDERATION

- A. [ID 23-1121](#) Consider adoption of an ordinance of the City of Denton adopting Chapter 21, Article V, of the City of Denton code of ordinances, titled “Marijuana Enforcement”; providing repealer, cumulative, and severability clauses; and declaring an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet.pdf](#)
 [Exhibit 2 - Ordinance.pdf](#)
 [Exhibit 3 - Nov. 9, 2022, City Manager Memo to City Council.pdf](#)

6. PUBLIC HEARING(S)

- A. [ID 23-287](#) Hold a public hearing inviting citizens to comment on the 2023-2027 Consolidated Plan for Housing and Community Development and 2023 Action Plan.

Attachments: [Exhibit 1 – Agenda Information Sheet](#)
 [Exhibit 2 - 2023-24 CSAC Funding Recommendations](#)
 [Exhibit 3 – 2023-24 Project Descriptions](#)
 [Exhibit 4 – Draft 2023-2027 Consolidated Plan and 2023-2024 Action Plan](#)
 [Exhibit 5 – Presentation](#)

7. ITEM(S) FOR INDIVIDUAL CONSIDERATION - CONTINUED

- B. [ID 23-1026](#) Consider approval of a resolution of the City Council of the City of Denton to appoint a director to the Board of Directors of Hunter Ranch Improvement District No. 1 of Denton County, Texas; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Resolution](#)

[Exhibit 3 - Presentation](#)

- C. [ID 23-1027](#) Consider approval of a resolution of the City Council of the City of Denton to appoint a director to the Board of Directors of Cole Ranch Improvement District No. 1 of Denton County, Texas; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Resolution](#)

[Exhibit 3 - Presentation](#)

- D. [ID 23-929](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$80,500,000 in principal amount of "City of Denton General Obligation Refunding and Improvement Bonds, Series 2023"; authorizing the issuance of the bonds; delegating the authority to certain City officials to execute certain documents relating to the sale of the bonds; approving and authorizing instruments and procedures relating to said bonds; enacting other provisions relating to the subject; and providing an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1. Agenda Information Sheet](#)

[Exhibit 2. Preliminary Official Statement](#)

[Exhibit 3. GO Ordinance](#)

[Exhibit 4. Presentation](#)

- E. [ID 23-930](#) Consider adoption of an ordinance considering all matters incident and related to the issuance, sale and delivery of up to \$158,500,000 in principal amount of "City of Denton Certificates of Obligation, Series 2023"; authorizing the issuance of the certificates; delegating the authority to certain city officials to execute certain documents relating to the sale of the certificates; approving and authorizing instruments and procedures relating to said certificates; enacting other provisions relating to the subject; and providing an effective date. The Public Utilities Board recommends approval (6-0).

Attachments: [Exhibit 1. Agenda Information Sheet](#)

[Exhibit 2. Preliminary Official Statement](#)

[Exhibit 3. Ordinance](#)

[Exhibit 4. Presentation](#)

- F. [ID 23-1007](#) 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 Kimley-Horn and Associates, Inc., to provide regulatory permitting/approval support, process evaluation, design services, bidding assistance, and construction phase services for the Pecan Creek Water Reclamation Plant (PCWRP) Expansion to 26MGD Project for the Wastewater Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-027 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$14,952,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance and Contract](#)

- G. [ID 23-1009](#) 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 Alamo Transformer Supply Company, for the purchase of refurbished, rebuilt, and salvaged transformers and transformer disposal for Denton Municipal Electric as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8192 - contract for transformers awarded to Alamo Transformer Supply Company, in the three (3) year not-to-exceed amount of \$10,000,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Evaluation Sheet](#)

[Exhibit 3 - Presentation](#)

[Exhibit 4 - Ordinance and Contract](#)

- H. [ID 23-1043](#) 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 Pure Technologies US Inc., for the Transmission Mains Condition Assessment for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8181 - awarded to Pure Technologies US Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$10,000,000.00). The Public Utilities Board recommends approval (6 - 0).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Presentation](#)

[Exhibit 3 - Ordinance and Contract](#)

- I. [ID 23-489](#) Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation, amending Chapter 18, Article V, "Motor Vehicles and Traffic," of the City of Denton Code of Ordinances, to permit the operation of golf carts and off-highway vehicles on University Campus Streets adjacent to the University of North Texas (UNT) and Texas Woman's University (TWU) campus; providing a repealer clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Presentation](#)

8. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

B. Possible Continuation of Closed Meeting topics, above posted.

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on June 2, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.