

**CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
January 11, 2021**

After determining that a quorum was present of the Public Utilities Board of the City of Denton, convened in a Regular Meeting on Monday, January 11, 2021 at 9:00 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Susan Parker, Members Karen DeVinney, Charles Parker, Ed Soph and Barbara Russell

Also present: Executive Manager of Utilities Antonio Puente and First Assistant City Attorney Larry Collister

ABSENT: Vice Chair Billy Cheek

Note: Chair Susan Parker, Vice Chair Billy Cheek and Members Barbara Russell, Ed Soph, Charles Parker and Karen DeVinney will be participating in the work session and regular meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127.

REGULAR MEETING

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

There were no public comments.

2. CONSENT AGENDA

The Consent Agenda consisted of Items 2.A-J.

Board Member Soph moved to recommend adoption of the Consent Agenda items 2 B-G, I-J. Motion seconded by Board Member C. Parker, motion carried.

YES (5): Susan Parker, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

NO (0):

A. PUB20-262 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation ("City"), authorizing the City Manager, or his designee, to execute a memorandum of understanding regarding electrical distribution switching procedures with University of North Texas, a Texas higher education institution ("UNT"), to ensure electric system reliability and safety for parties by establishing electric distribution system switching procedures; and, providing an effective date.

Board Member DeVinney pulled this item due to a conflict.

With no questions, Board Member Soph moved to recommend adoption of Consent Agenda item 2A. Motion seconded by Board Member C. Parker, motion carried.

YES (4): Susan Parker, Charles Parker, Barbara Russell and Ed Soph

NO (0):

Abstained - Board Member Karen DeVinney

H. PUB21-006 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with vendors for the rental of heavy trucks for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 7464 - awarded to Big Truck Rental, LLC, Herc Rentals, Inc., Industrial Power, LLC, and Rush Truck Leasing, 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 \$450,000.00).

This item was pulled by Board Member Russell to ask a question. Lori Hewell, purchasing manager, answered the question.

Board Member Soph moved to recommend adoption of the Consent Agenda item 2H.

Motion seconded by Board Member C. Parker, motion carried.

YES (5): Susan Parker, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

NO (0):

B. PUB20-263 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation ("City"), authorizing the City Manager, or his designee, to execute a memorandum of understanding regarding electrical distribution switching procedures with Texas Woman's University, a Texas higher education institution ("TWU"), to ensure electric system reliability and safety for parties by establishing electric distribution system switching procedures; and, providing an effective date.

C. PUB21-001 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a Professional Services Agreement between the City of Denton and Hazen and Sawyer, P.C., amending the contract approved by City Council on July 21, 2015, in the not-to-exceed amount of \$427,368.00; amended by Amendments 1, 2, and 3 approved by City Council; said fourth amendment to provide additional engineering services and permitting support for the Hickory Creek Detention Facility and the Hickory Creek Lift Station project; providing for the expenditure of funds therefor; and providing an effective date (File 5768 - providing for an additional fourth amendment expenditure amount not-to-exceed \$144,150.00, with the total contract amount not-to-exceed \$1,346,964.00).

D. PUB 21-002 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to the Professional Services Agreement between the City of Denton and Halff Associates, Inc., amending the contract approved by City Council on November 6, 2018, in the not-to-exceed amount of \$837,900.00; Amendments 1 and 2 were approved by Purchasing staff; said third amendment to provide additional surveying and engineering services is necessary for the design of the water mains, sanitary sewers, storm sewers, and culverts in Elm Street and Locust Street, and a drainage study of North Pecan Creek and Pecan Creek; providing for the expenditure of

funds therefor; and providing an effective date (File 6590-041 - providing for an additional third amendment expenditure amount not-to-exceed \$177,840.00, with the total contract amount not-to-exceed \$1,056,040.00).

E. PUB21-003 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Kimley-Horn and Associates, Inc., amending the contract approved by City Council on January 14, 2020, in the not-to-exceed amount of \$1,398,600.00; said first amendment to provide additional design engineer services, permitting services, and construction administration services in support of the Northwest Booster Pump Station and Water Transmission Main project; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-081 - providing for an additional first amendment expenditure amount not-to-exceed \$126,300.00, with the total contract amount not-to-exceed \$1,524,900.00).

F. PUB21-004 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Kimley-Horn and Associates, Inc., amending the contract approved by City Council on January 14, 2020, in the not-to-exceed amount of \$922,800.00; said first amendment to provide additional utility conflict analysis, surveying, easement acquisition, design, bidding, and construction administration services in support of the State reimbursable relocation of water and wastewater utilities within the Interstate Highway 35E Right-of-Way; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-084 - providing for an additional first amendment expenditure amount not-to-exceed \$165,000.00, with the total contract amount not-to-exceed \$1,087,800.00).

G. PUB21-005 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a contract between the City of Denton and USIC Locating Services, LLC, amending the contract approved by City Council on June 19, 2018, in the not-to-exceed amount of \$1,200,000.00; amended by Amendments 1-2 approved by Purchasing; said third amendment to continue to supply underground utility locating services; providing for the expenditure of funds therefor; and providing an effective date (File 6736 - providing for an additional third amendment expenditure amount not-to-exceed \$300,000.00, with the total contract amount not-to-exceed \$1,500,000.00).

I. PUB21-007 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Roll-Offs USA, Inc., for the purchase of steel refuse and recycling containers for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7503 - awarded to Roll-Offs USA, 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 \$2,438,173.00).

J. PUB21-008 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Caterpillar, Inc. dba Holt CAT, through the Sourcewell Purchasing Network

Contract Number 032119, for the purchase of one (1) Caterpillar Model D9 Dozer for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (File 7585 - awarded to Caterpillar, Inc. dba Holt CAT, in the not-to-exceed amount of \$1,285,661.68).

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB20-264 Consider approval of the December 14, 2020 minutes.

There were questions about the approval of the minutes and the official record, Larry Collister answered and will get more information to bring back.

Board Member DeVinney moved to recommend approval of agenda item 2A. Motion seconded by Board Member Soph, motion carried.

YES (5): Susan Parker, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

NO (0):

B. PUB20-261 Consider recommending adoption of an ordinance of the City of Denton to declare the intent to reimburse capital program expenditures of the Electric Utility (\$42,538,108), Solid Waste (\$3,000,000), Water (\$23,647,184), Wastewater (\$26,144,574), and General Government (\$72,608,678) with Tax- Preferred Obligations (Certificates of Obligation and General Obligation Bonds) with an aggregate maximum principal amount not to exceed \$167,938,544; and providing an effective date.

Cassey Ogden, Director of Finance, gave the presentation. There were questions by the Board Members that Ogden answered.

Board Member Russell moved to recommend approval of agenda item 3B. Motion seconded by Board Member DeVinney, motion carried.

YES (6): Susan Parker, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

NO (0):

C. PUB20-265 Management Reports

1. Utility Sole Source Procurement List
2. Utility Extendable Commercial Paper Program
3. American Manufactured Products
4. Future Agenda Items
5. New Business Action Items

The items were presented with discussion.

4. CONCLUDING ITEMS

There were no concluding items.

WORK SESSION

A. PUB20-258 Receive a report, hold a discussion, and give staff direction regarding the potential sale of Texas Municipal Power Agency's ("Agency") Gibbons Creek Steam Electric Station and related assets in Grimes County, Texas including a review of the economics of the sale, the key provisions of the proposed Asset Purchase Agreement (APA) and the risks associated therewith.

Terry Naulty, Director DME and interim Director of Water Utilities, gave the presentation for this agenda item.

There were questions by the Board Members that Naulty answered.

With no further business, the meeting was adjourned at 10:07 a.m.

DocuSigned by:

Susan Parker

D7178552EE3B4F6...

SUSAN PARKER

CHAIR

CITY OF DENTON, TEXAS

DocuSigned by:

Kim Mankin

74FB3BF-A074D422...

KIM MANKIN

UTILITIES ADMIN MANAGER

CITY OF DENTON, TEXAS

Minutes approved on: _January 25, 2021_____