

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
April 12, 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, April 12, 2021 at 9:00 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Susan Parker, Vice Chair Billy Cheek, Members Barbara Russell, Karen DeVinney, Lee Riback and Ben Jumper

Also present: Executive Manager Utilities Antonio Puente and First Assistant City Attorney Catherine Clifton

Note: Chair Susan Parker, Vice Chair Billy Cheek and Members Barbara Russell, Karen DeVinney, Lee Riback and Ben Jumper 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-D.

Board Member DeVinney moved to recommend adoption of the Consent Agenda items 2 B, C and D. Motion seconded by Board Member Russell, motion carried.

YES (6): Susan Parker, Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper

NO (0):

A. PUB21-047 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Assetworks, LLC, for the supply of Computer Maintenance Management Software (CMMS) for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 7380 - awarded to Assetworks, 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 \$519,390.00).

Vice Chair Cheek pulled this item for questions. Jason Brown, DEC Manager, answered the questions.

Board Member Cheek moved to recommend adoption of the Consent Agenda item 2 A. Motion seconded by Board Member Riback, motion carried.

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YES (6): Susan Parker, Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper
NO (0):

B. PUB21-058 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Strong Data, Inc., for the purchase of scale house software for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7447 - awarded to Strong Data, 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 \$337,630.00).

C. PUB21-059 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Zeit Energy, LLC, for the CNG Fuel Station Maintenance & Repairs for the Solid Waste & Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7604 - awarded to Zeit Energy, 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 \$150,000).

D. PUB21-060 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Berry Companies, Inc., dba Bobcat of Dallas, through the Buy Board Cooperative Purchasing Network Contract #597-19, for the municipal lease of skid-steer loaders for various City departments; providing for the expenditure of funds therefor; and providing an effective date (File 7617 - awarded to Berry Companies, Inc., dba Bobcat of Dallas, for one (1) year, with the option for two (2) additional one (1) year extensions, in the total three (3) year not-to-exceed amount of \$225,000.00).

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB21-045 Consider approval of the March 22, March 23 and April 5, 2021 minutes.

Approved with lettering correction on the March 22 meeting minutes.

Board Member DeVinney moved to recommend adoption of the Consent Agenda items 3 A. Motion seconded by Board Member Russell, motion carried.

YES (6): Susan Parker, Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper
NO (0):

B. PUB21-042 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to execute a contract with Wärtsilä North America, Inc., for the supply of routine maintenance supplies and services for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7544 - awarded to Wärtsilä North America, Inc., for three (3)

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years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$3,448,184.00).

Jason Brown gave the presentation. There were questions by the Board Members that Brown answered.

Board Member Russell moved to recommend adoption of the Consent Agenda items 3 B. Motion seconded by Board Member Riback, motion carried.

YES (6): Susan Parker, Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper

NO (0):

C. PUB21-053 Consider recommending adoption of an ordinance of the City of Denton, Texas, amending the fiscal year 2020-2021 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the Electric Fund of one hundred forty million dollars (\$140,000,000) for the purpose of purchasing power during the Winter Storm Uri event; declaring a public purpose; providing a severability clause; an open meetings clause and an effective date.

Nick Vincent gave the presentation with explanation. There were questions by the Board members that Vincent answered.

Board Member Cheek moved to recommend adoption of the Consent Agenda items 3 C. Motion seconded by Board Member DeVinney, motion carried.

YES (5): Susan Parker, Billy Cheek, Karen DeVinney, Barbara Russell and Ben Jumper

NO (0):

(Lee Riback had stepped away.)

D. PUB21-055 Management Reports

1. Denton Energy Center January 2021 Dashboard
2. Future Agenda Items
3. New Business Action Items

The items were presented with discussion.

4. CONCLUDING ITEMS

Chair Parker thanked Ed Soph for his service on this Board.

WORK SESSION

A. PUB21-052 Receive a report, hold a discussion, and give staff direction regarding the FY 2020-21 Budget, Capital Improvement Program, Rates and Five-Year Financial Forecast for Water, Wastewater (Drainage), Solid Waste, and Electric Funds.; declaring a public purpose; providing a severability clause; an open meetings clause and an effective date.

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Nick Vincent started the presentation with the Water, Wastewater and Solid Waste Budget. Cassey Ogden gave the presentation for Electric.

There were questions asked by the Board Members that staff answered.

The Board adjourned into the Closed Meeting at 10:35 am.

CLOSED MEETING

A. PUB21-054 Deliberations Regarding Certain Public Power Utilities: Competitive Matters – Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Receive a presentation from staff regarding public power competitive and financial matters about the delivery of power, wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio and to the February winter storm; discuss, deliberate, and provide input to staff regarding the same. Consultation with the City's attorneys regarding legal issues, legal status, legal analysis, and legal strategy associated with the above matters and pending and potential litigation, where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation

With no further business, the meeting was adjourned at 11:28 a.m.

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Susan Parker

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SUSAN PARKER

CHAIR

CITY OF DENTON, TEXAS

DocuSigned by:

Kim Mankin

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KIM MANKIN

UTILITIES ADMIN MANAGER

CITY OF DENTON, TEXAS

Minutes approved on: April 26, 2021