

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
May 10, 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, May 10, 2021 at 9:01 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: 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

ABSENT: Chair Susan Parker

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-E.

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

YES (5): Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper

NO (0):

B. PUB21-079 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Stearns, Conrad and Schmidt Consulting Engineers, Inc., dba SCS Engineers, amending the contract approved by City Council on August 18, 2020, in the not-to-exceed amount of \$69,645.00; amended by Amendment 1, approved by City Council; said second amendment to provide additional engineering services for surveying and construction quality assurance (CQA) services for the extension of the perimeter landfill gas (LFG) collection header, perimeter road, and waterline at the City of Denton Landfill project; providing for the expenditure of funds therefor; and providing an effective date (File 7109-011 – providing for an additional second amendment expenditure amount not-to-exceed \$273,822.00, with the total contract amount not-to-exceed \$353,117.00).

D. PUB21-081 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, for the approval of a pre-qualified professional services list of State Certified Engineers for project/program management, professional engineering services, and capital infrastructure-related projects within the City of Denton, for various capital investment projects; and providing an effective date (RFQ 7599 - for two (2) years, with the option for one (1) additional one (1) year extension, in the total three (3) year term).

E. PUB21-082 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7629 for Residential and Small Commercial Energy and Water Audits; and providing an effective date (RFP 7629).

A. PUB21-078 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fifth 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, 3, and 4 approved by City Council; said fifth amendment to provide additional engineering services and permitting support for the Hickory Creek Basin Peak Flow 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 fifth amendment expenditure amount not-to-exceed \$66,742.00, with the total contract amount not-to-exceed \$1,413,706.00).

Board Member Jumper pulled this item for questions. Riback and Russell also asked questions. Pritam Deshmukh provided answers to the questions asked.

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

YES (5): Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper

NO (0):

C. PUB21-080 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 Professional Services Agreement with Kimley-Horn and Associates, Inc., for the development of a residential lighting design for Denton Municipal Electric, as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7584 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$74,000.00).

Board Member Russell pulled this agenda item for questions. Board Members asked questions that Terry Naulty answered.

Board Member Russell moved to recommend adoption of the Agenda item 2 C. Motion seconded by Board Member DeVinney, motion carried.

May 10, 2021

Page | 3

YES (5): Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper
NO (0):

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB21-061 Consider approval of the April 26, 2021 minutes.

Board Member Russell moved to approve Agenda item 3 A. Motion seconded by Board Member Jumper, motion carried.

YES (5): Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper
NO (0):

B. PUB21-083 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 FX5 Utility Construction, LLC, for Underground Electric Installation for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 7633 - awarded to FX5 Utility Construction, LLC, 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 \$15,000,000.00).

Rowdy Patterson gave the PowerPoint Presentation. The Board Members asked questions that Patterson answered.

Board Member DeVinney moved to approve Agenda item 3 B. Motion seconded by Board Member Jumper, motion carried.

YES (5): Billy Cheek, Karen DeVinney, Barbara Russell, Lee Riback and Ben Jumper
NO (0):

C. PUB21-062 Management Reports

1. Service Assistance Program Clarification
2. February 2021 DEC Dashboard
3. Update on Hickory GIS Substation
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. PUB21-084 Receive a report, hold a discussion, and give staff direction regarding updating the existing “Denton Municipal Electric - Energy Risk Management Policy.”

City of Denton Public Utilities Board Minutes
May 10, 2021

Page | 4

Smith Day presented this item. There were no questions

The Board went into Closed Meeting at 9:40am.

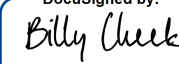
CLOSED MEETING

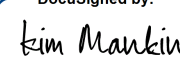
A. PUB21-065 - Deliberations Regarding Certain Public Power Utilities: Competitive Matters – Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

Receive a presentation from staff regarding public power competitive and financial matters about the risks of wholesale energy supply and risk management plans, hedge plans, and strategies as each relates to the DME electric power and gas portfolio; discuss, deliberate, and provide input to staff regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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.

The Closed Session completed at 10:08 am.

With no further business, the meeting was adjourned at 10:08 am.

DocuSigned by:

DA0E4B3B94EB48E...
BILLY CHEEK
VICE CHAIR
CITY OF DENTON, TEXAS

DocuSigned by:

74FB3BFA074D424...
KIM MANKIN
UTILITIES ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: May 24, 2021