



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Public Utilities Board

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**Monday, June 14, 2021**

**9:00 AM**

**Council Chambers**

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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 in person or via video/teleconference.

**AS OF JUNE 14, IN-PERSON PUBLIC COMMENTS ARE ALLOWED AT THIS MEETING. FOR VIRTUAL PARTICIPATION, SEE THE REGISTRATION PROCESS DETAILED BELOW.**

### **REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD**

Citizens will also be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On June 10, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to members of the Public Utilities Board and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Chair. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Chair will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting agenda item. Individuals will be able to comment once per agenda item, no matter the method.

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a Regular Meeting on Monday, June 14, 2021, at 9:00 a.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

**REGULAR MEETING****1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC**

This section of the agenda permits a person to make comments regarding public business on items as listed on the agenda. Each speaker will be allowed a maximum of four (4) minutes. Such person(s) shall have registered under the REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD detailed at the beginning of this agenda. Registration is required prior to the time this agenda item is read into the record.

**2. CONSENT AGENDA**

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

Listed below are bids, purchase orders, contracts, and other items to be approved for payment or other action under the Consent Agenda (Agenda Items A – I). This listing is provided on the Consent Agenda to allow Public Utilities Board Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, Consent Agenda Items A – I below 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. [PUB21-031](#) 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 7205 for Utility Scale Wind Energy for Denton Municipal Electric; and providing an effective date (RFP 7205).

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

- B. [PUB21-102](#) 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 Tenly Landscape Construction Inc., for irrigation services for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 7634 - awarded to Tenly Landscape Construction Inc. 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 \$2,000,000.00).

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

- C. [PUB21-103](#) 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 Professional Services Agreement between the City of Denton and Freese and Nichols, Inc, amending the contract approved by City Council on October 16, 2018, in the not-to-exceed amount of \$1,200,000.00, amended by Amendments 1-2 approved by Purchasing, said third amendment to provide professional engineering services for the

Southeast Denton Neighborhood Street Reconstruction Project and program management services for the completion of the 2019 Street Reconstruction Bond; providing for the expenditure of funds therefor; and providing an effective date (File 6590-042 - providing for an additional third amendment expenditure amount not-to-exceed \$1,257,254.00 with the total contract amount not-to-exceed \$2,457,254.00).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Original Ordinance and Contract](#)

[Exhibit 3 - Amendment 1](#)

[Exhibit 4 - Amendment 2](#)

[Exhibit 5 - Southeast Denton Street Segments](#)

[Exhibit 6 - Ordinance and Amendment 3](#)

- D. [PUB21-104](#) 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 Freese and Nichols, Inc., amending the contract approved by City Council on December 5, 2017, in the not-to-exceed amount of \$1,529,180.00; amended by Amendments 1, 2, 3, and 4 approved by City Council and Purchasing; said fifth amendment to provide additional professional and construction services for the Lake Lewisville Water Treatment Plant Phase II project; providing for the expenditure of funds therefor; and providing an effective date (File 6305 - providing for an additional fifth amendment expenditure amount not-to-exceed \$229,777.00, with the total contract amount not-to-exceed \$2,219,307.00).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Original Ordinance and Contract](#)

[Exhibit 3 - Amendment 1](#)

[Exhibit 4 - Amendment 2](#)

[Exhibit 5 - Ordinance and Amendment 3](#)

[Exhibit 6 - Amendment 4](#)

[Exhibit 7 - Ordinance and Amendment 5](#)

- E. [PUB21-105](#) 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 Prime Controls, L.P. for the maintenance and service of the Supervisory Control and Data Acquisition (SCADA) system within the Water Production Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7494-1 - awarded to Prime Controls, L.P., 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 \$400,000.00).

**Attachments:**

[Exhibit 1 - Agenda Information Sheet](#)

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Ordinance and Contract](#)

- F. [PUB21-106](#) 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 VWR International, LLC, for the purchase of laboratory supplies for the Water Production Department and the Municipal Laboratory; providing for the expenditure of funds therefor; and providing an effective date (IFB 7549-1 - awarded to VWR International, 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 \$150,000.00).

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

- G. [PUB21-109](#) 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 the City's Wastewater Master Plan; providing for the expenditure of funds therefor; and providing an effective date (RFP 7574-003 - Professional Services Agreement for development services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$2,025,100.00).

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

- H. [PUB21-111](#) 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 Azteca Systems, LLC, for the purchase of Cityworks licenses, an Enterprise Asset Management (EAM) solution that tracks repairs, inspections, and services of City's assets to be used by Technology Services, Parks and Recreation, Water Utility, and Wastewater Utility departments; providing for the expenditure of funds therefor; and providing an effective date (RFP 7545 - awarded to Azteca Systems, 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 \$460,000.00).

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

- I. [PUB21-112](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a sixth amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on July 17, 2012, in the not-to-exceed amount of \$435,701.00, amended by Amendments 1-5 approved by the City Manager, City Council, and Purchasing, said sixth amendment to provide engineering and inspection related services for the North-South Phase II and III 36-Inch/42-Inch Water Transmission Line Project for the Capital Projects and Water Utilities Department;

providing for the expenditure of funds therefor; and providing an effective date (File 4978 - providing for an additional sixth amendment expenditure amount not-to-exceed \$619,840.00, with the total contract amount not-to-exceed \$1,672,411.60).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet - PUB](#)  
                              [Exhibit 2 - Original Ordinance and Contract](#)  
                              [Exhibit 3 - Amendment 1](#)  
                              [Exhibit 4 - Amendment 2](#)  
                              [Exhibit 5 - Ordinance and Amendment 3](#)  
                              [Exhibit 6 - Ordinance and Amendment 4](#)  
                              [Exhibit 7 - Amendment 5](#)  
                              [Exhibit 8 - Ordinance and Amendment 6](#)

### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A.    [PUB21-085](#)    Consider approval of the May 24, 2021 minutes.

**Attachments:**      [5.24.21 PUB Minutes](#)

- B.    [PUB21-107](#)    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 Hammett Excavation, Inc., for construction of the Perimeter Landfill Gas Header, Perimeter Road, and Waterline Extension for the Solid Waste & Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 7567 - awarded to Hammett Excavation, Inc., in the not-to-exceed amount \$3,641,940.06).

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

- C.    [PUB21-108](#)    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 Hammett Excavation, Inc., for the construction of the Public Disposal Facility for the Solid Waste & Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 7568 - awarded to Hammett Excavation, Inc., in the not-to-exceed amount \$2,526,832.34).

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

- D.    [PUB21-101](#)    Management Reports  
                          1. Budget Process Memo  
                          2. Future Agenda Items

## 3. New Business Action Items

Attachments:[1. Budget Process Memo](#)[2. Future Agenda Items](#)[3. New Business Action Items](#)**4. CONCLUDING ITEMS**

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public Utilities Board 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.

Following the completion of the Regular Meeting, the Public Utilities Board will convene in a Work Session at which the following items will be considered:

**WORK SESSION**

- A. [PUB21-116](#) Receive a report, hold a discussion, and give staff direction regarding a proposed high-performance computing operation on leased property at the Denton Energy Center under development by Tenaska.

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

Following the completion of the Work Session, the Public Utilities Board (PUB) will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The Public Utilities Board (PUB) 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.

**CLOSED MEETING**

- A. [PUB21-115](#) 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 regarding the provision of electric power to a prospective large electric demand customer, discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys regarding legal issues associated the above matter 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any

administrative proceeding or potential 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 action, 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 Public Utilities Board 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 Section 551.071-551.086 of the Texas Open Meetings Act.

#### CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://www.cityofdenton.com/en-us/government/open/agendas-minutes>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on June 10, 2021, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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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.