

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
8/23/2021

After determining that a quorum was present of the Public Utilities Board of the City of Denton, convened in a Regular Meeting on Monday, 8/23/2021 at 9:00 a.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT (in person): Vice Chair Billy Cheek, Barbara Russell and Ben Jumper

PRESENT (virtually): Chair Susan Parker, Karen DeVinney, Lee Riback, and Devin Taylor

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

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-B.

A. PUB21-160 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 contract between the City of Denton and Floyd Smith Concrete, Inc., amending the contract approved by City Council on October 17, 2017, in the not-to-exceed amount of \$21,976,261.84; amended by Amendment 1 approved by the City Council; said second amendment is for additional miscellaneous concrete related repair and installation projects throughout the City by the Streets Department; providing for the expenditure of funds therefor; and providing an effective date (File 6547 - providing for an additional second amendment expenditure amount not-to-exceed \$1,980,000.00, with the total contract amount not-to-exceed \$24,176,495.71).

Lee Riback pulled this item for questions, Daniel Kremer answered the questions.

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

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

B. PUB21-161 Consider recommending 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 Hazen and Sawyer, P.C., to provide regulatory permitting/approval support, process evaluation, design services, bidding assistance, construction administration, and

commissioning/startup support for the Pecan Creek Water Reclamation Plant Effluent Filter improvements; providing for the expenditure of funds therefor; and providing an effective date (RFP 7574-005 - Professional Services Agreement for design services awarded to Hazen and Sawyer, P.C., in the not-to-exceed amount of \$576,124.00).

Board Member Jumper pulled this item to ask questions, staff answered.

Board Member Jumper moved to recommend adoption of Agenda item 2 B. Motion seconded by Board Member DeVinney, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

CLOSED MEETING

A. PUB21-171 Deliberations Regarding Certain Public Power Utilities Competitive Matters – Under Texas Government Code Section 551.086.

Receive a presentation from staff containing public power information related to a proposed power purchase agreement between the City of Denton, as the seller of power and electric energy services, and Core Scientific Inc.; discuss and deliberate actions regarding the same.

WORK SESSION

A. PUB21-165 Receive a report, hold a discussion, and give staff direction on the proposed Water and Wastewater Rates for FY 2021-2022.

Nick Vincent gave the PowerPoint presentation, there was discussion and questions asked by the Board members.

Consensus by the Board was Option 3 which is to combine seasonal residential rates into one annual volume rate based on current revenues. Create one new tier.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB21-168 Consider approval of the 8/9/2021 minutes.

Board Member Jumper moved to recommend adoption of Agenda item 3 A. Motion seconded by Board Member Riback, motion carried.

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

NO (0):

Susan Parker abstained she was absent at the meeting.

B. PUB21-162 Consider recommending adoption of an ordinance establishing the rates for water and water service; providing for a repealer; providing for a severability clause; and, providing for an effective date.

Board Member Cheek moved to recommend adoption of Agenda item 3 B. Motion seconded by Board Member DeVinney, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

C. PUB21-163 Consider recommending adoption of an ordinance establishing the rates for wastewater service; providing for a repealer; providing for a severability clause; and, providing an effective date.

Board Member Jumper moved to recommend adoption of Agenda item 3 C. Motion seconded by Board Member Russell, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

D. PUB21-164 Consider recommending adoption of an ordinance of the City of Denton, Texas, establishing the rates for solid waste and recycling collection service; repealing Ordinance No. 20-1551; providing for a repealer; providing for a severability clause; and providing an effective date.

Board Member Taylor moved to recommend adoption of Agenda item 3 D. Motion seconded by Board Member Riback, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

E. PUB21-172 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a lease with Core Scientific, Inc. for approximately 30 acres of City-owned property located in the Moses H. Davis Survey, Abstract No. 377, and in the Johnson, Green, Myers, and Brummett Survey, Abstract No. 1699, all in the City and County of Denton, Texas; and providing an effective date.

Terry Naulty presented this item as well as item PUB21-173 together. There was discussion and questions by the Board Members.

Board Member Jumper moved to recommend adoption of Agenda item 3 E. Motion seconded by Board Member Taylor, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

F. PUB21-173 Consider recommending adoption of an ordinance of the City of Denton, A Texas Home-Rule Municipal Corporation, approving a Power Purchase Agreement between the City and Core Scientific Inc., a Delaware Corporation; providing for the expenditure of funds; and providing for an Effective Date.

Board Member Riback moved to recommend adoption of Agenda item 3 F. Motion seconded by Board Member DeVinney, motion carried.

YES (7): Susan Parker, Billy Cheek, Barbara Russell, Karen DeVinney, Lee Riback, Ben Jumper and Devin Taylor

NO (0):

G. PUB21-169 Management Reports

1. 1. Denton Energy Center May 2021 Dashboard
2. Denton Energy Center June 2021 Dashboard
3. Future Agenda Items
4. New Business Action Items

The items were presented by staff.


4. CONCLUDING ITEMS

The Board thanked Karen DeVinney for her service, this is her last meeting.

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



SUSAN PARKER
CHAIR
CITY OF DENTON, TEXAS



KIM MANKIN
UTILITIES ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: September 13, 2021.