



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Public Utilities Board

Monday, September 14, 2015

9:00 AM

Service Center Training Room

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, September 14, 2015 at 9:00 a.m. in the Service Center Training Room at the City of Denton Service Center, 901-A Texas Street, Denton, Texas at which the following items will be considered:

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. When items for consideration are not listed under the Closed Meeting section of the agenda, the PUB will not conduct a Closed Meeting and will immediately convene its open meeting. The 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. [PUB15-005](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from Denton Municipal Electric staff ("DME") regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the DME system; discuss and deliberate strategies regarding same; discuss and deliberate opportunities and strategies for the City to acquire purchased power and enter into agreements regarding the same, in order to meet its future energy needs. Discuss, deliberate and provide Staff with direction.

- B. [PUB15-006](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government Code, Section 551.086; and Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive a briefing and presentation from Denton Municipal Electric ("DME") staff regarding certain public power competitive, financial and commercial information relating to issues regarding the proposed Professional Services Agreement (the "Agreement") by and between the City of Denton, Texas and Burns & McDonnell Engineering Company, Inc., Kansas City, Missouri, regarding contractual matters that deal with plans, studies, proposals and analyses for system improvements to the Denton Municipal Electric system, said Agreement in the amount of \$395,652, is in addition to the original contract in the amount of \$264,648, not to exceed an aggregated contract total of \$660,300. Consultation with the City's attorneys regarding legal issues associated with the Agreement 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. Discuss, deliberate, provide staff with direction, consider approval and take final action on said Agreement.

- C. [PUB15-007](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government Code, Section 551.086; and Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive a briefing and presentation from Denton Municipal Electric (“DME”) staff regarding certain public power competitive, financial and commercial information relating to issues regarding the proposed three-year Professional Services Agreement (the “Agreement”) by and between the City of Denton, Texas and Teague Nall & Perkins, Inc. regarding contractual matters that deal with plans, studies, proposals and analyses for system improvements to the Denton Municipal Electric system, said Agreement in the amount of \$470,000, is in addition to the original contract in the amount of \$450,000, not to exceed an aggregated contract total of \$920,000. Consultation with the City’s attorneys regarding legal issues associated with the Agreement 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. Discuss, deliberate, provide staff with direction, consider approval and take final action on said Agreement.

- D. [PUB15-008](#) Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Sec. 551.086.

Receive competitive public power electric information, including financial information from staff pertaining to Denton Municipal Electric (“DME”) electric service rate issues and strategies, including without limitation, the Energy Cost Adjustment (“ECA”) and Renewable Cost Adjustment (“RCA”) rates and other related matters; and discuss, deliberate, provide Staff with direction, consider, and determine policy regarding such matters.

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 §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 TEX. GOV’T. CODE, §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 §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

REGULAR MEETING

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

CONSENT AGENDA

Each of these items 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 of other action under the Consent Agenda (Agenda Items A – D). 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 – D 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. [PUB15-001](#) Consider recommending adoption of an ordinance authorizing the City Manager or his designee to execute a purchase order through the Buy Board Cooperative Purchasing Network for the acquisition of a street sweeper for the City of Denton Drainage Department; and providing an effective date (File 5929- Street sweeper awarded to Tymco, Inc. in the amount of \$201,523.50).

Attachments: [Exhibit 1 Comparison and Quotes](#)
 [Exhibit 2 Tymco Standardization](#)
 [Exhibit 3 Replacement Form](#)

- B. [PUB15-012](#) Consider recommending approval of the purchase of two WEMCO Hydrogritter 12" Full Flare - Weir End stainless steel units from Jay Martin Company, Inc. to replace the existing WEMCO Hydrogritter units at the Pecan Creek Water Reclamation Plant in the amount of \$85,600 (File 5941)

Attachments: [Exhibit 1-Wemco Sole Source Letter for Denton](#)
 [Exhibit 2-Quote 201867 Rev E](#)

- C. [PUB15-013](#) Consider recommending adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buy Board Cooperative Purchasing Network for the acquisition of one (1) Sewer Camera Trailer for the City of Denton Wastewater Collections Department; and providing an effective date (File 5935-awarded to R.S. Technical Services, Inc. in the amount of \$133,400).

Attachments: [Exhibit 1 WC Sewer Camera](#)

- D. [PUB15-017](#) Consider recommending rejection of all bids for IFB 5876 for the construction of the Santa Monica Water and Wastewater Improvements project.

Attachments: [Exhibit 1 Project Location Map](#)
 [Exhibit 2 Bid Tabulation Summary](#)

ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB15-014](#) Hold a discussion and elect a Chair and Vice-Chair for the Public Utilities Board.
- B. [PUB15-016](#) Consider recommending approval of the Public Utilities Board meeting minutes of August 28, 2015.
Attachments: [Exhibit 1 August 24, 2015 Draft PUB Minutes](#)
- C. [PUB15-010](#) Receive an update from DME staff, hold a discussion, and consider changes to proposed Schedule Residential Time of Use (RTOU) to the electric rate ordinance.
Attachments: [Exhibit 1 Redlined copy of modified RTOU Ordinance](#)
- D. [PUB15-015](#) ACM Update
a) New Business Matrix
b) 3rd Quarter Report
Attachments: [New Business Matrix](#)
[3rd Quarter Report June 2015](#)

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.

B. Possible Continuation of Closed Meeting topics, above posted.

CERTIFICATE

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2015 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON SERVICE CENTER TRAINING ROOM IS HANDICAP-ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.