



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, October 12, 2015

9:00 AM

Council Chambers

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, October 12, 2015 at 9:00 a.m. in the Council Chambers at the City of Denton City Hall, 215 E. McKinney 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. [PUB15-035](#) Deliberations regarding Real Property - Under Texas Government Code Section 511.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests generally located in Denton, Denton County, Texas, West of Western Boulevard and South of Jim Cristal Road, for the possible construction of an electric generation facility where deliberation in an open meeting would have a detrimental effect on the position of a governmental body in negotiations with a third party. Consultation with the City's attorney's regarding legal issues associated with the acquisition of the real property interests described above 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.

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:

PUBLIC HEARINGS

- A. [PUB15-032](#) Hold a public hearing and consider making a recommendation of approval to the City Council regarding the proposed sites for construction, expansion, and use of an electric power transmission /distribution substation located along both the east and west sides of Bernard St. between Eagle Drive to the north and Collins Street to the south, in the City of Denton, Texas, as part of Denton Municipal Electric's service territory; discuss, deliberate, provide staff with direction, and make a recommendation.

Attachments: [Exhibit 1 - Eagle Site Proj Info](#)
 [Exhibit 2 - Eagle Site System Map](#)
 [Exhibit 3 - Location Map](#)
 [Exhibit 4 - Site Options Map](#)

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 – F). 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 – F 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. [PUB15-020](#) Consider a recommendation for approval of an Interlocal Cooperation Agreement between the City of Denton, Texas and the City of Copperas Cove, Texas to provide for the City of Denton to purchase a 2000 Scarab Windrow Turner from the City of Copperas Cove for \$30,000.

Attachments: [Exhibit 1 - City of Copperas Cove Interlocal Agreement](#)
 [Exhibit 2 - Ordinance](#)

- B. [PUB15-024](#) Consider a recommendation for the adoption of an ordinance of the City of Denton, Texas, to declare the intent to reimburse capital program expenditures of the Electric Utility (\$57,850,000) and Solid Waste (\$9,280,000) with Tax Preferred Obligations (Certificates of Obligation) with an aggregate maximum principal amount equal to \$67,130,000.

Attachments: [Exhibit 1 - DME Projects](#)
 [Exhibit 2 - Solid Waste Projects](#)

- C. [PUB15-026](#) Consider a recommendation for the adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a lease agreement between the City of Denton and Rail Yard Partners, LTD, and providing an effective date.

Attachments: [Exhibit 1- Commercial Lease Agreement](#)
[Exhibit 2- Renewal Commercial Lease Agreement](#)
[Exhibit 3- Office Lease Ordinance](#)

- D. [PUB15-027](#) Consider a recommendation for the City of Denton to enter into a contract with Wilson Contractor Services, LLC in the amount of \$96,600 for the realignment, construction, and installation of a 18" re-use line, approximately 805 linear feet, which is used to transport re-use water for irrigation purposes to various locations within the City of Denton. (RFP 5859)

Attachments: [Exhibit 1- Best and Final Offer](#)
[Exhibit 2 - Engineering design](#)

- E. [PUB15-031](#) 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) Bobcat Model T870 Skidsteer Loader for the City of Denton Solid Waste Department; and providing an effective date (File 5950-awarded to Bobcat Company in the amount of \$74,243.17).

Attachments: [Exhibit 1 - Quote](#)
[Exhibit 2 - Staff Memo](#)

- F. [PUB15-034](#) Consider recommending adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for the purchase of two (2) Altec bucket trucks for Denton Municipal Electric which are available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code, such purchases are exempt from requirements of competitive bidding; and providing an effective date (File 5949-awarded to Altec Industries, Inc. in the not-to-exceed amount of \$428,385.50).

Attachments: [Exhibit 1-Quotes](#)
[Exhibit 2-Memo](#)

ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB15-041](#) Consider recommending approval of the Public Utilities Board Meeting Minutes for September 28, 2015.

Attachments: [Exhibit 1 - September 28, 2015 Draft PUB Minutes](#)

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 COUNCIL CHAMBERS 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.