

MINUTES
PUBLIC UTILITIES BOARD
October 12, 2015

After determining that a quorum of the Public Utilities Board of the City of Denton, Texas is present, the Chair of the Public Utilities Board will thereafter convene into an open meeting on Monday, October 12, 2015 at 9:00 a.m. in the City Council Chambers, City of Denton City Hall, 215 E. McKinney Street, Denton, Texas.

Present: Chairman Randy Robinson, Vice Chair Phil Gallivan, Barbara Russell, Lilia Bynum, Charles Jackson, Brendan Carroll and Susan Parker

Ex Officio Members: George Campbell, City Manager and Howard Martin, ACM Utilities

OPEN MEETING

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.

Brian Daskam, DME Key Accts Energy Eff & Sustain Mgr, explained about the mail issues from the last meeting. There have been some changes since the last meeting to make sure this doesn't happen again. Brent Heath, DME Exec Mgr of Energy Delivery, gave an over view presentation for this item.

The Public Hearing was then open to the public for their comments:

1. Danny Brown – 1011 Peak Street – Not opposed to 911 Bernard Street.
2. Richard Cooper – 201 Royal Oaks Court – Not in favor of traditional substation, advocate for the GIS substation. Property owner in the blue area. Would also like another open house before a vote.
3. Jonathan Littman – 111 Alan-A-Dale Circle – In favor of GIS Substation. Appreciates DME for looking at other sites. Would rather have the substation on UNT property. Underground with a parking garage on top.
4. John Reed – 910 W. Collins – His property not for sale. Not in opposition of 911 Bernard. Would like to look at GIS Technology more.

5. Steve Stone – 6827 Freeman Rd, Krum – Has knowledge of the investor residents in this area. Was involved with John Littman and his property purchase. A site plan for the building and lot has been put together. Advocate for GIS option.
6. Asif Reza – 811 Eagle Drive – Asked why this has to be in such a heavily populated area.

Chair Robinson read a comment from Kimberly Hall, Eagle Drive business. Support electrical station just not the most expensive way by purchasing businesses and apartments. Support the purchase of the original homes.

Robinson closed the Public Hearing portion at 9:36am.

Gallivan stated he would like staff to look further into GIS and ways other companies have overcome the issues associated and provide information at the next PUB Meeting as well as other options for substations.

With no more speakers and no additional questions.

Board Member Gallivan made the motion to approve the 911 Bernard Street as the project site using an air insulated substation second from Board Member Jackson. Vote 6-1 approved.

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.

Board Member Russell pulled this item to ask a question. What is the life time of a piece of equipment like this? Scott Lebsack, Business Devel & Admin Dept. Mgr., answered we will keep it for about 10 years. It will not be heavily used. **Board Member Carroll asked if we own a piece of equipment like this and does it work.** Lebsack answered Solid Waste does not and the equipment does work. **Board Member Jackson asked how much a new piece like this would cost.** Lebsack answered about \$300,000.

Board Member Russell motioned to approve this item with a second from Board Member Parker. Vote 7-0.

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.

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.

Vice Chair Gallivan pulled this item and asked where it is located. Lebsack answered it is across from the Police station on Hickory Street. Lauren Barker, Director of Keep Denton Beautiful, furthered it is 2,750 square feet and is in the back of a building. Their current location is owned by Parks and they need to relocate.

Board Member Gallivan motioned to approve this item with a second from Board Member Bynum. Vote 7-0.

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).

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).

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).

Motion was made to approve items B, D, E and F by Board Member Russell with the second by Board Member Bynum. The vote was 7-0 approved.

ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB15-021 Consider recommending approval of the Public Utilities Board Meeting minutes of September 28, 2015
Approved as circulated.

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.

CONCLUDING ITEMS

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.

Matrix Addition – information for the GIS Substation including safety and environmental aspects.

Adjournment 10:32 a.m.