



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, November 9, 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, November 9, 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. [PUB15-030](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; 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 located in the City of Denton, Texas, for the construction, expansion and use of electric power transmission lines, beginning at the North Lakes Substation of Denton Municipal Electric and proceeding east along Riney Rd, then turning north along Nicosia St., then east along W. Hercules Lane and terminating at the Denton North Substation of Denton Municipal Electric, if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys 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 City's Public Utility Board, 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. [NL to DN]

- B. [PUB15-059](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; 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 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, if deliberation in an open meeting

would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys 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. [Eagle Substation]

C. [PUB15-055](#) 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.

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 – H). 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 – H 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. [PUB15-044](#) Consider recommending a resolution to the City Council of the City of Denton, Texas authorizing the filing and acceptance of a contract with the Solid Waste & Recycling Department (SW&R) and Mill Branch, LLC, for the SW&R to purchase mitigation credits to offset impacts to the Waters of the United States in accordance with the U.S. Army Corps of Engineers Section 404 permit and the Texas Commission on Environmental Section 401 certification requirements, in the preparation, development and submittal of a permit application for lateral expansion and associated services pertaining to the City of Denton Landfill (MSW Permit #1590a); authorizing the expenditure of funds in the stated amount of \$249,690, and providing an effective date.

Attachments: [Exhibit 1- US Army Corp of Engineers Public Notice](#)
 [Exhibit 2-Mill Branch LLC Credit Sales Agreement](#)

- B. [PUB15-050](#) Consider a recommendation for the City of Denton to enter into a contract with Canary Construction Incorporated, Coppell, Texas, in the amount of \$114,442 for the installation of approximately 1,126 feet of 8” sanitary sewer line and 530 feet of 2” water line. (RFP 5911)

Attachments: [Exhibit 1- RFP 5911 Evaluation](#)
 [Exhibit 2- Engineering Design](#)

- C. [PUB15-051](#) Consider recommendation of an ordinance accepting competitive proposals and awarding a contract for fraud prevention, credit risk assessment, and debt recovery solutions, providing for the expenditure of funds therefor; and providing an effective date (RFP 5890 - awarded to ONLINE Information Services, Inc., dba the ONLINE Utility Exchange, in the three (3) year not-to-exceed amount of \$250,000).

Attachments: [Exhibit 1 Pricing Sheet-Provide Fraud Prevention Credit Risk Assessment & De](#)

- D. [PUB15-052](#) Consider recommending adoption of an ordinance of the City of Denton, Texas authorizing the approval of a second Amendment to a fueling service contract with Ultimate CNG, LLC for the purchase of temporary mobile compressed natural gas (CNG); providing for the expenditure of funds for up to two years in the amount of \$1,300,000, with a total contract amount not to exceed \$1,895,000; and providing an effective date. (File 5464)

Attachments: [Exhibit-1 Second Amendment to Contract 5464](#)
 [Exhibit-2 First Amendment Ultimate](#)

- E. [PUB15-053](#) Consider the recommendation of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program for the acquisition one (1) rear loader refuse body for Solid Waste Department; and providing and effective date (File 5979- Purchase of one (1) refuse body from McNeilus Manufacturing for \$78,148).

Attachments: [Exhibit 1 - McNeilus Quotes](#)
 [Exhibit 2 - McNeilus Comparison FINAL](#)
 [Exhibit 3 - McNeilus Standardization Memo](#)
 [Exhibit 4 - Sole Distributor Letter](#)

- F. [PUB15-054](#) 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 two (2) flushing trucks for the City of Denton Wastewater Collections Department; and providing an effective date (File 5988-awarded to Rush Truck Center in the amount of \$486,061.25).

Attachments: [Exhibit 1- Flushing Truck Comparison and Quotes](#)
 [Exhibit 2- Hotshot Truck Comparison and Quotes](#)

- G. [PUB15-058](#) 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 A770 Skidsteer Loader for the City of Denton Solid Waste Department; and providing an effective date (File 5983-awarded to Bobcat Company in the amount of \$82,857.53).

Attachments: [Exhibit 1 - Bobcat Quotes](#)
 [Exhibit 2 - Bobcat Comparison](#)
 [Exhibit 3 - Bobcat Standardization Memo](#)

- H. [PUB15-062](#) Consider the recommendation of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program for the acquisition six (6) refuse bodies for Solid Waste Department; and providing and effective date (File 5978- Purchase of six (6) refuse bodies from DaDee Manufacturing for \$794,156.92).

Attachments: [Exhibit 1 - Dadee Quotes](#)
 [Exhibit 2 - Dadee Comparison FINAL](#)
 [Exhibit 3 - DaDee Standardization Memo](#)
 [Exhibit 4 - DaDee Sole Source](#)

ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB15-063](#) Consider approval of the Public Utilities Board Meeting minutes of October 26, 2015

Attachments: [Exhibit 1 - October 26, 2015 Draft PUB Minutes](#)

- B. [PUB15-040](#) Receive a report, and hold a discussion regarding the status of Denton Municipal Electric's Capital Improvement Projects.

- C. [PUB15-057](#) Receive a report, hold a discussion, and give staff direction on the Denton Renewable plan and activities related to the future power supply plans to meet the City's growth and needs.

Attachments: [Exhibit 1 - Denton Renewable responses thru 4NOV15](#)

- D. [PUB15-065](#) Receive a report, hold a discussion, and give staff guidance regarding potential utilization of Gas Insulated technology within DME electric utility substations.

- E. [PUB15-064](#) ACM Update

Attachments: [Exhibit 1 - New Business Matrix](#)

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.