

**MINUTES**  
**PUBLIC UTILITIES BOARD**  
March 28, 2016

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, March 28, 2016 at 9:04 a.m. in the Service Center Training Room at the City of Denton Service Center, 901 A Texas Street, Denton, Texas.

Present: Chair Randy Robinson, Vice Chair Phil Gallivan, Barbara Russell, Charles Jackson, and Brendan Carroll

Absent: Susan Parker and Lilia Bynum

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

**OPEN MEETING**

**CONSENT AGENDA**

- A. **PUB16-55** - Consider recommending an ordinance to the City Council of the City of Denton, Texas, accepting competitive proposals and awarding a public works contract for the construction of the replacement of the existing interior access to the heating, ventilation, and air conditioning system (HVAC) mechanical platform with a new exterior access and stairs at the City of Denton Solid Waste and Recycling administration building located at 1527 South Mayhill Road, Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (RFP 6015-awarded to Denco Construction Specialists Corporation, Garland, Texas in the amount of \$397,833).

Board Member Russell asked the age of items to be replaced and bidders. Vance Kemler, General Manager of Solid Waste, answered this is for the new HVAC office building platform for access. There were no other bidders which was very unusual.

Board Member Gallivan asked if the HVAC was included, Kemler answered no this is preparing for the installation of a new system.

Board Member Jackson asked if the engineering estimate was close to the bid. Kemler answered yes very close.

Board Member Carroll asked if the HVAC was inside the building, Kemler answered it was on top of the building and then the roof was added over now there isn't good access for maintenance and replacement. Kemler then explained the installation.

**Board Member Russell motioned to approve this item with a second by Board Member Gallivan 5-0 approved**

- B. **PUB16-53** - Consider a recommendation that the City Council adopt an ordinance authorizing the City Manager or his designee to execute a Purchase Agreement, by and between the City of Denton, Texas ("City"), as buyer, and The City of Garland, Texas (the "Owner"), as seller, to acquire a utility easement, being a 2.135 acre tract of land in the Mary L. Austin Survey, Abstract No. 4, City of Denton, Denton County, Texas, (being generally located on the north side of the 1700 block of Spencer Road); for the total purchase price of \$248,202.40 (\$223,202.40 easement; \$25,000 building), and other consideration, as prescribed in the Purchase Agreement (the "Agreement"), as attached hereto and made a part

hereof as Exhibit “1”, authorizing the expenditure of funds therefor; and providing an effective date.

- C. **PUB16-56** - Consider authorizing the City Manager or his designee to execute a contract through the Houston-Galveston Area Cooperative Purchasing Network for the acquisition of one (1) J&J Trailer for the City of Denton Solid Waste Department; and providing an effective date (File 6051-awarded to B & C Body Company in the amount of \$81,200.00).

Board Member Russell asked if this is a replacement piece of equipment. Vance Kemler, General Manager of Solid Waste, answered it is not a replacement. Solid Waste has some similar but this is an addition to support the recycling and construction industry.

**Board Member Russell motioned to approve this item with a second by Board Member Jackson 5-0 approved.**

- D. **PUB16-57** - Consider a recommendation for an approval of a Professional Services Agreement (PSA) with Parkhill Smith & Cooper, Inc. (PSC) to provide professional and engineering services in the preparation, development, and submittal of the permit application and the associated services required to secure a Permit Amendment for the City of Denton’s Municipal Solid Waste (MSW) Facility, MSW Permit# 1590A, for an amount not to exceed \$274,150. (File 6097)

Chair Robinson asked if there are warranties or performance assurances in the CP&Y contract that will not transfer since this is a different firm. Vance Kemler, General Manager Solid Waste, answered that CP&Y will warrant all work that has been completed to this point. Parkhill Smith & Cooper will be responsible when their work begins. All the CAD drawings will be given to the new firm. CP&Y will provide any support that is needed once the application is put in. Robinson wanted to make sure we are covered if there is a problem at some point.

Board Member Russell asked about the cost for the public meetings. Kemler responded there are two major public meeting. This engineering firm will be able to answer any of the technical questions that come up. It is important to have an outside firm answering the public’s questions.

**Board Member Russell motioned to approve this item with a second by Board Member Jackson 5-0 approved.**

- E. **PUB16-59** - Consider recommending approval of an amendment to the Hickory Creek Basin Peak Flow Detention Facility design contract (Contract #5768) with Hazen and Sawyer engineers to add \$112,758 for additional work for the design of the West Peak Flow Pump Station and Detention Facility for an amended contract amount of \$540,126.

Chair Robinson asked when will this facility be constructed, PS Arora, Division Manager, answered in the next fiscal year.

**Board Member Jackson motioned to approve this item with a second by Board Member Gallivan 5-0 approved.**

- F. **PUB16-62** - Consider recommending approval of the First Amendment to the Professional Services Agreement for Consulting Engineering Services between the City of Denton and

Teague Nall and Perkins, Inc., in the amount of \$440,790.00, for engineering services associated with the Fort Worth Drive Utility Relocations Preliminary Services project.

- G. **PUB16-63** - Consider a recommendation that the City Council adopt an ordinance repealing Ordinance 2016-081, of the City of Denton, Texas.
- H. **PUB16-64** - Consider recommending approval of a second Amendment to a Professional Services Agreement by and between the City of Denton, Texas and Black & Veatch Corporation, with its corporate office at 11401 Lamar Avenue, Overland Park, Kansas, for electrical substation design and other engineering-related consulting services for Capital Improvement Projects and other technical support for Denton Municipal Electric, in the amount of \$2,220,000 (File No. 5089 - Amendment to Professional Services Agreement in the previous not-to-exceed amount of \$1,345,400; with the not-to-exceed amount now totaling \$3,565,400.)

Chair Robinson stated that he noticed that there is a small item for preliminary design work for GIS and also indicated there was a level of expertise in GIS, will this be an amendment to the contract. Sears answered more than likely that is how it will be handled. Sears elaborated on the contract.

**Board Member Jackson motioned to approve this item with a second by Board Member Russell 5-0 approved**

- I. **PUB16-66** - Consider a recommendation that the City Council adopt an ordinance to replace Ordinance 2016-081.

**Board Member Gallivan motioned to approve items B, F, G and I with a second by Board Member Jackson 5-0 approved**

#### **ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. **PUB16-60** - Consider recommending approval of the Public Utilities Board Meeting minutes of March 14, 2016.

**Approved as circulated**

- B. **PUB16-58** - Receive a report, hold a discussion, and provide staff direction concerning the results of the Solid Waste & Recycling Services Cost of Service Study.

Scott Pasternak, Senior Project and Business Development Manager with Burns McDonnell gave the presentation. Pasternak went over the cost of service study that included: Current Rates, Net Revenue with Current Rates, Proposed Rate Adjustments, Net Revenue with Proposed Rates, Reserve Contributions and Balances, Policy Issues and Benchmarking.

Gallivan stated that Solid Waste started doing additional services because we could do them cheaper than we could hire them out, is that working out in our favor. Pasternak answered in the comparison with the private sector, it is cost effective.

Robinson asked if the solid waste trucks are used both for refuse and recycling. Kemler answered yes for residential customers. There is a little different set up for commercial but the same trucks are used.

Carroll asked if the estimates take into account any household additions or population increases over the four years. Pasternak answered yes the current number plus the growth percent projections are included.

Pasternak finished by talking about the next steps that will include continuing the process to develop FY2017 rates.

**C. PUB16-61 - ACM Update:**

**1. Matrix**

Update Renewable Denton – Howard Martin

Update on Mr. Rivas' house – Phil Williams

**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.

**There was discussion regarding the consultant for the Renewable Denton Plan.**

**No new items were voiced.**

**Adjournment 10:29 a.m.**