



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Public Utilities Board

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**Monday, December 12, 2016**

**9:00 AM**

**Service Center Training Room**

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After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, December 12, 2016 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. [PUB16-220](#)** 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 and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests generally located in the northeast corner of East Sherman Drive and Hartlee Field Road in the City of Denton, Denton County, Texas; discussions had, deliberation, and direction given, by the Denton Public Utility Board 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; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton 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. [Hartlee Field Road Substation]

- B. [PUB16-241](#)** 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 enter into an agreement for Owner's Engineer services in order to provide project oversight services for the Denton Energy Center Project. Take final action on an Owner's Engineer services

agreement with Leidos Engineering, LLC.

- C. [PUB16-252](#) 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 and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located in Lot 1, Block 2 of the Municipal Utility Addition as shown by the plat thereof recorded in Cabinet G Page 346 of the P.R.D.C.T., in the City of Denton, Denton County, Texas; discussion had, deliberation, and direction given, by the Denton Public Utility Board 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; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton 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. [Brinker Substation]

- D. [PUB16-261](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from staff regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the City's electric system; discuss and deliberate strategies regarding same; discuss and deliberate opportunities and strategies for the City to enter into a new service agreement with Texas Woman's University. 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. [PUB16-247](#) Consider recommending approval of Electronics Recycling Services by Universal Recycling Technologies (URT) Ft. Worth, TX, to recycle electronics for the City of Denton, Texas for a period of three years in an amount not-to-exceed \$120,000 (RFP 6180).

Attachments: [Exhibit 1- Recycling Proposal Summary](#)

- B. [PUB16-248](#) Consider recommending approval of an Agreement, by and between the Upper Trinity River Water District (the “District”) and the City of Denton (the “City”), authorizing the District to acquire certain utility easements through eminent domain for relocation of District and City utilities as required by the Texas Department of Transportation’s (TxDOT’s) roadway widening improvements to FM 2181 (Teasley Lane), between FM 2499 and Lillian Miller Parkway and within the City of Denton, and sharing use of certain City and District utility easements.

Attachments: [Exhibit 1- Location Map](#)

[Exhibit 2- Interlocal Agreement](#)

- C. [PUB16-249](#) Consider a recommendation for Lloyd Gosselink, Attorneys at Law, Austin, Texas, to provide professional legal services related to the permitting of the proposed expansion of the City’s landfill and for general environmental legal services in the estimated amount of \$715,000 for three fiscal years, 2017 - 2019. (File 6288)

Attachments: [Exhibit 1 - L Gosselink Legal Scope](#)

[Exhibit 2 - L Gosselink PSA](#)

- D. [PUB16-253](#) Consider recommending adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract through the Buyboard Cooperative Purchasing Network for the acquisition of three (3) excavators and one (1) telehandler for the City of Denton Water Distribution and Water Production Departments; and providing an effective date (File 6284-awarded to Kirby Smith Machinery in the amount of \$461,590).

Attachments: [File 6284- Exhibit 1 Excavator Comparison and Quotes.pdf](#)

[File 6284- Exhibit 2 Telehandler Comparison and Quote.pdf](#)

- E. [PUB16-254](#) 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 one (1) bucket truck for the City of Denton Electric Distribution Department,

which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 6308 awarded to Altec Industries, Inc. in the amount of \$226,858).

Attachments: [6308-Exhibit 1.pdf](#)

[6308-Exhibit 2.pdf](#)

- F. [PUB16-255](#) Consider recommending adoption 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 of one (1) wheel loader for the City of Denton Beneficial Reuse department; and providing an effective date (File 6307-awarded to Romco Equipment Co. in the not-to-exceed amount of \$356,299).

Attachments: [6307-Exhibit 1.pdf](#)

[6307-Exhibit 2.pdf](#)

- G. [PUB16-256](#) Consider recommending adoption of an ordinance of the City of Denton authorizing the City Manager or his designee to execute a contract for the acquisition of two (2) underground cable pullers for the City of Denton Electric Distribution Department; and providing an effective date (File 6312-awarded to Sherman Reilly in the amount of \$180,196.30).

Attachments: [Cable Pullers Exhibit 1.pdf](#)

[Cable Pullers Exhibit 2.pdf](#)

- H. [PUB16-259](#) 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 Contract Number 430-13 for the acquisition of two (2) dump trucks and eight (8) refuse trucks for various City of Denton Departments; and providing an effective date (File 6310-awarded to Rush Truck Center, Crane in the not-to-exceed amount of \$1,628,829).

Attachments: [Exhibit 1 - Vehicle List and Quotes](#)

[Exhibit 2 - Fleet Standardization Memo](#)

[Exhibit 3 - Peterbilt Sole Source Letter](#)

## ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB16-230](#) Consider approval of the Public Utilities Board Meeting minutes of November 7, 2016.

Attachments: [PUB 11-07-16 Draft Minutes](#)

- B. [PUB16-244](#) Receive a report and hold a discussion on the proposed City of Denton Solid Waste & Recycling Department Strategic Plan which will provide long-term planning guidance for existing, expanded, and new operations and services for the next 15-20 years.

Attachments: [Exhibit 1 - Solid Waste and Recycling Strategic Plan](#)

- C. [PUB16-221](#) ACM Update:

1. Water and Wastewater Rate Comparisons
2. DME Rate Comparisons
3. Matrix

Attachments:     [Water WW Rate Comparison](#)  
                              [DME Rate Comparison](#)  
                              [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 \_\_\_\_\_, 2016 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.