

**MINUTES  
PUBLIC UTILITIES BOARD**

Monday, December 12, 2016

9:00 a.m.

Service Center Training Room

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, December 12, 2016 at 9:00 a.m. in the Service Center Training Room at the City of Service Center, 901 A Texas Street, Denton, Texas.

Present: Chair Randy Robinson, Vice Chair Susan Parker, Barbara Russell, Charles Jackson, Brendan Carroll and Allen Bishop

Ex Officio Members: Howard Martin, ACM Utilities

Absent: Lilia Bynum

**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.

**Board Member Russell motioned to approve item B. There was a second by Board Member Parker. Vote 6-0 approved.**

- 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.

**OPEN MEETING**

**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).**

**Board Member Parker asked why the costs are so different.** Jon Fortune answered that one firm was from Austin the other was from Fort Worth and feels a big part of the difference would be in transportation of the items.

**Board Member Parker motioned to approve item A. There was a second by Board Member Bishop. Vote 6-0 approved.**

**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.**

**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).**

**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).

- 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).
- 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).
- 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).
- 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).

**Board Member Russell motioned to approve items B - H. There was a second by Board Member Bishop. Vote 6-0 approved.**

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

- A. PUB16-230** - Consider recommending approval of the Public Utilities Board Meeting minutes of November 7, 2016.

**Approved as circulated**

- 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.

Tyler Hurd made the PowerPoint presentation. Burns and McDonnell was contracted help to put together this plan for Solid Waste.

The 2016 Strategic Plan adheres to the following six guiding principles that were established for the 1995 Master Plan:

Provide cost effective services to the community.  
Maintain the flexibility to capitalize on emerging technologies and opportunities.  
Convert solid waste to resources of value and provide economic development opportunities.  
Minimize financial, human, and environmental risk to the community.  
Provide educational opportunities to public, private, college, and university students.  
Minimize the impact of solid waste on the environment and public health.

The Mission and Vision Statements for Solid Waste are:

Mission: Deliver service excellence through innovative and responsible resource recovery.

Vision: Manage waste as a resource.

Key Focus Area 1 - Include increase recycling and waste minimization.

There is currently a 40% recycling goal in the City

Increase commercial recycling

Increase residential recycling

Exemplify leadership and innovation to drive recycling and waste minimization

Key Focus Area 2 - Maximize landfill airspace utilization

Expand the reach of the Building Materials Recovery (BMR) operation

Begin landfill mining, recovering recyclables, and reclaiming soil from old landfill cells (2030 Plan 9.17.12)

Optimize Enhanced Leachate Recirculation (ELR) operations

Evaluate the technical and financial feasibility of building an Anaerobic Digester

Continue to transition to resource recovery

Key Focus Area 3 – Focus on safety

Promote department-wide safety culture

Implement a Stop Work Authority (SWA) policy

Incorporate accident prevention systems

Promote third-party and visitor safety

Key Focus Area 4 – Increase efficiency

Meet or exceed industry standards within our operations

Maintain a short turn-around time for customers at ECO-W.E.R.C.S. Resource Recovery Park

Enhance data management

Key Focus Area 5 – Communication satisfaction

Ensure services are accessible and convenient to customers

Create a culture of excellent customer service

Enhance and diversify relationship with strategic partners

Continue to account for environmental sustainability in planning and operations

**Russell asked about the reuse store, if there is good traffic.** Hurd said there is good traffic, depending on what is available.

**Russell also asked where the bee hives are.** Hurd answered directly behind the landfill.

**Russell then asked if they are contracted out, or purchased.** Hurd answered they were purchased.

### C. PUB16-221- ACM Update

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

### 3. Matrix

#### **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.

**Adjournment 10:13 a.m.**

**Approved on 1/9/17**