



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, January 23, 2017

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, January 23, 2017 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. [PUB16-258](#)** Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

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 fuel related matters and deliberate opportunities and strategies for the City to enter into an agreement for interconnection services in order to obtain fuel, lateral extension, and metering equipment installation for the Denton Energy Center. Take final action on an interconnection agreement with Enterprise Texas Pipeline, LLC. Consultation with the City's attorneys regarding legal issues associated with the above matters 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.

- B. [PUB17-014](#)** Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086; Consultation with Attorneys - Under Texas Government Code, Section 551.071.

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 an agreement for owner's engineer services in order to provide project oversight services for the Denton Energy Center. Consultation with the

City's attorneys regarding legal issues associated with the above matters 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. Take final action on an owner's engineer services agreement with Black and Veatch Corporation.

- C. [PUB17-020](#) Consultation with Attorneys - Under Texas Government Code Section 551.071; Deliberations Regarding Real Property - Under Texas Government Code Section 551.072.

Consultation with the City's attorneys regarding legal issues associated with the potential relocation of a Texas Municipal Power Agency transmission line ("Brinker TMPA transmission line") currently located on the east of E. Loop 288 and south of Brinker Road in the City of Denton, Denton County, Texas and the abandonment of certain transmission line easements related to the same and owned by the City; 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. Receive information from staff and discuss, deliberate, and provide staff with direction regarding the potential relocation of the Brinker TMPA transmission line and the abandonment of certain City-owned transmission line easements related to the same; 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. [Relocation of TMPA Transmission Line - Brinker Road and E. Loop 288]

- D. [PUB17-021](#) 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 northwest of N. Loop 288 and west of N. Locust St. 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. [Long Road Substation]

- E. [PUB17-024](#) 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 related to the location and siting of electric transmission lines in an area bounded by Bernard Street (western boundary), Eagle Drive (northern boundary), S Locust Street and W Collins St. (eastern boundary), and W Collins Street (southern boundary) lying within the City of Denton, Denton County, Texas. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above where a 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, or where 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. [Eagle to Locust TM Line]

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 – C). 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 – C 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. [PUB17-016](#) Consider recommending approval of a second Amendment to a Professional Services Agreement by and between the City of Denton, Texas and GL PWR Solutions, Inc., with its corporate office at 2777 Stemmons Freeway, Suite 1520, Dallas, Texas, to continue to provide compliance, study, modeling, and other technical/professional services for Denton Municipal Electric in an additional amount not to exceed \$1,012,440.08 (File #5148 - Amendment to Professional Services Agreement in the previous not-to-exceed amount of \$956,959.06; with the not-to-exceed amount now totaling \$1,969,399.14.)

Attachments: [Proposed Second Amendment, First Amendment, Original Professional Service](#)

- B. [PUB17-019](#) 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 \$172,719 for the design of the Hickory Creek Lift Station, and additional services for the Hickory Creek Detention Facility project in the amount of \$19,520 for an amended contract amount of \$732,365.

Attachments: [Exhibit 1 - Map](#)

[Exhibit 2 - Shaft Driven Pump Operation Photo](#)

[Exhibit 3 Hazen Scope of Work and Cost Proposal](#)

- C. [PUB17-029](#) 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) boom mower attachment for the Drainage Department; and providing an effective date (File 6337-awarded to Tiger Corporation in the amount of \$62,658).

Attachments: [File 6337- Tiger Mower PUB Exhibit 1.pdf](#)

[File 6337- Tiger Mower Standardization.pdf](#)

ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB17-031](#) Consider approval of the Public Utilities Board Meeting minutes of January 9, 2017.

Attachments: [1-9-17 PUB Draft Minutes](#)

- B. [PUB17-032](#) ACM Update:
1. City's sale of Utility System Revenue Bonds, Series 2017
 2. Matrix

Attachments: [1. City's sale of Utility System Revenue Bonds, Series 2017](#)

[2. 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 _____, 2017 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.