



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, March 27, 2017

9:00 AM

Work Session 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, March 27, 2017 at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney 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.

WORK SESSION

- A. [PUB17-062](#) Receive a report, hold a discussion, and give staff direction regarding surface grading under a Texas Municipal Power Agency (TMPA) transmission line located on the premise of Medical City Healthcare.

Attachments: [1. Easement Clarification](#)
 [2. Survey](#)

REGULAR MEETING

1. CONSENT AGENDA

Each of the items on the Consent Agenda 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 or other action under the Consent Agenda (Agenda Items A – D). 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 – D 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. [PUB17-033](#) Consider recommending the adoption of an ordinance of the City Council of the City of Denton authorizing the City Manager to execute an Engagement Letter with the law firm of David A. Portz, P.C., Houston, Texas, for professional legal services to be provided to the Energy Management Organization of the City's Electric Department, Denton Municipal Electric; authorizing the expenditure of funds therefor; and providing an effective date (File No. 5554 - in the additional amount of not-to-exceed \$75,000; aggregating not-to-exceed \$250,000).

Attachments: [1. Supplemental Engagement Letter](#)
 [2. Ordinance-Portz](#)

- B. [PUB17-061](#) Consider recommending adoption of an ordinance of the City Council of the City of Denton authorizing the City Manager, or his designee, to execute an agreement with Medical City Healthcare in which Medical City Healthcare will reimburse the City for the provision of services related to transmission line grading; and providing an effective date.

Attachments: [1. Easement Clarification](#)

- C. [PUB17-067](#) Consider recommending the adoption of an ordinance by the City Council authorizing the City Manager to execute an agreement by and between the City of Denton, Texas and the Texas Municipal Power Agency (TMPA), that provides for terms and conditions under which The City of Denton and TMPA are electrically interconnected between each of their respective transmission assets located within Denton County, Texas, in substantial conformity with the attached exhibits; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments: [1. Draft TMPA Interconnection Agreement](#)

- D. [PUB17-081](#) Consider recommending adoption of an ordinance of the City Council of the City of Denton, Texas authorizing the City Manager or his designee to execute an agreement with Texas Municipal Power Agency (TMPA) regarding reimbursement for transmission line grading work to be performed by Denton Municipal Electric in the easement of a 138kV line located on the property of Medical City Healthcare.

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB17-077](#) Consider approval of the Public Utilities Board Meeting minutes of March 13, 2017.

Attachments: [1. PUB Draft Minutes 3-13-17](#)

- B. [PUB17-072](#) Consider recommending approval of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a First Amendment to a professional Services Agreement by and between the City of Denton, Texas and Teague Nall and Perkins, Inc., for engineering and surveying services relating to the Denton Municipal Electric Capital Improvement Plan; authorizing the expenditure of funds therefor; providing an effective date (File 5306 in the additional amount not-to-exceed \$4,360,000; aggregating a total not-to-exceed \$8,520,000).

Attachments: [1. TNP PSA for DME - 5306-Award Ordinance Pricing](#)
 [2. TNP Project Data Summary](#)
 [3. Proposal from TNP - 2017 Amendment](#)
 [4. CIP Project Map](#)
 [5. Proposed Amendment](#)

- C. [PUB17-078](#) ACM Update:
 1. Downtown Dumpsters
 2. Landfill Gas Production Update

3. Matrix

- Attachments:
- [1. Downtown District Dumpster Service](#)
 - [2. Landfill Gas Production](#)
 - [3. New Business Matrix](#)

CLOSED MEETING

- A. [PUB17-064](#) 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 Substation]

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.

3. 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.

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 CITY COUNCIL WORK SESSION 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.