



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, August 13, 2018

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, August 13, 2018 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:

WORK SESSION

- A. [PUB18-128](#) Receive a report, hold a discussion, and give staff direction regarding proposed updates to the GreenSense Incentive Program, the GreenSense Incentive Program Manual, and Distributed Generation Manual for FY 2018-19.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - GreenSense Incentive Program Manual](#)
 [Exhibit 3 - Distributed Generation Manual](#)
 [Exhibit 4 - GS and DG Presentation](#)

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. [PUB18-154](#) 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 about power purchase agreements under development as a result of the City's participation in the New Braunfels Utility's Request for Proposal for the purchase of solar-generated electric power ("NBU RFP"); discuss and deliberate strategies, opportunities and agreements for the City to potentially purchase solar-generated electric power as a result of the City's participation in the NBU RFP. Consultation with the City's attorneys regarding legal issues associated with the agreements described above where 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 City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

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.

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:

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 – 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. [PUB18-093](#) Consider recommending approval of an Ordinance authorizing the City Manager, or his designee, to execute a Confidentiality Agreement between the City and TrailStone Power LLC. (“TrailStone”); providing for a severability clause; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and agreement](#)
 [Exhibit 3 - Ordinance](#)

- B. [PUB18-101](#) Consider recommending that the City Council adopt an ordinance providing for, authorizing, and approving the execution by the City Manager, or his designee, of a Base Contract for Sale and Purchase of Natural Gas, between the City of Denton and Tenaska Marketing Ventures (“Tenaska”), a partnership affiliate of Tenaska Energy, Inc. and Tenaska Energy Holdings, LLC., with offices in Arlington, Texas; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this contract by the City Manager or his designee; determining that specific information contained in said contract pertain to a “Competitive Electric

Matter” as set forth under the provisions of §§551.086 and 552.133 of the Texas Government Code, as amended; allowing the public to inspect, but not reproduce, the Contract as redacted; and, providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Public Viewing Notice](#)

- C. [PUB18-135](#) Consider recommending approval of an ordinance of the City of Denton, Texas establishing the schedule of rates for electric service; providing for a repealer; providing for a severability clause; and providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - FY 2018-19 Electric Rate Ordinance REDLINE](#)
 [Exhibit 3 - FY 2018-19 Electric Rate Ordinance signed by Legal](#)
 [Exhibit 4 - Electric Rate Comparison](#)

- D. [PUB18-147](#) Consider recommending adoption of an ordinance authorizing the City Manager, or his designee, to execute an amendment to the Transmission Operator, Maintenance, and Construction Services Agreement (“Agreement”) between the City of Denton (“City”) and the Texas Municipal Power Agency (“TMPA”) that extends the term of the existing agreement by two years to September 1, 2020; authorizing the expenditure of funds; and providing an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 2 - TMPA TOP ordinance and amendment](#)

- E. [PUB18-149](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Garver, LLC for design and bid phase services for the Lake Lewisville Water Treatment Plant filter backwash and sedimentation basin wash-down residuals dewatering facility as set forth in the agreement; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-025- Professional Services Agreement for design and bid phase services awarded to Garver, LLC, in the not-to-exceed amount of \$520,920).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - CIP Detail Sheet](#)
 [Exhibit 3 - Scope of Services](#)
 [Exhibit 4 - Professional Services Agreement](#)
 [Exhibit 5 - Ordinance](#)

- F. [PUB18-156](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract through National Joint Powers Alliance Cooperative Purchasing Network Contract # 032515 for the purchase of a Caterpillar Inc. Model 836K refuse compactor for the City of Denton Solid Waste Department; authorizing the expenditure of

funds therefor; and declaring an effective date (File 6869- awarded to B.D. Holt CO. dba Holt Texas, Ltd., in the not-to-exceed amount of \$1,031,787.07).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2a - Evaluation Sheet](#)
 [Exhibit 2b - Quotes](#)
 [Exhibit 3 - Contract](#)
 [Exhibit 4 - Ordinance](#)

- G. [PUB18-157](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Hazen and Sawyer, P.C., amending the contract approved by City Council on January 6, 2015, in the not-to-exceed amount of \$136,017, amended by Amendments 1 and 2 approved by the Purchasing Manager and City Council, said third amendment to provide additional Pecan Creek Water Reclamation Plant process modeling to evaluate and model process upgrade technologies, and develop cost estimates for possible capacity expansion of the Pecan Creek Water Reclamation Plant; providing for the expenditure of funds therefor; and providing an effective date (File 5718 - providing for an additional third amendment expenditure amount not-to-exceed \$88,984, with a total contract amount not-to-exceed \$371,159).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Third Amendment](#)
 [Exhibit 3 - Ordinance](#)

- H. [PUB18-159](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract through the Buy Board Cooperative Purchasing Network Contract # 521-16 for the acquisition of six (6) Peterbilt refuse collection trucks Model 520LH for the City of Denton Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (File 6866- awarded to Rush Truck Centers of Texas, L.P. in the amount of \$1,826,172).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Evaluation Sheet](#)
 [Exhibit 3 - Contract](#)
 [Exhibit 4 - Ordinance](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB18-151](#) Consider approval of the Public Utilities Board Meeting minutes of July 23, 2018.

Attachments: [1. PUB Draft Minutes 7-23-18](#)

- B. [PUB18-153](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or his designee, to execute an Advance Funding Agreement (AFA) in the amount of \$6,864,979.98, by and between the State of Texas, acting

through the Texas Department of Transportation (the “State”) and the City of Denton (the “City”), regarding water and wastewater improvements associated with the US 377 (Ft Worth Drive) roadway widening project. The City will make two incremental payments to the State. The first payment will be upon full execution of the AFA and will be in the amount of \$3,864,979.98. The second payment will be in the amount of \$3,000,000.00 after receiving additional RTR funds from NCTCOG in the amount of \$3,000,000.00.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Letter from NCTCOG](#)
[Exhibit 3 - Project Map](#)
[Exhibit 4 - Presentation](#)
[Exhibit 5 - Ordinance](#)

- C. [PUB18-152](#) ACM Update:
1. Texas Lineman Rodeo
 2. Summary of proposed rate decreases for the 2018-2019 budget
 3. Future Agenda Items
 4. Matrix

Attachments: [1. Texas Lineman Rodeo](#)
[2. Residential Rate increase summary](#)
[3. Future Agenda Item List](#)
[4. New Business Matrix - PUB](#)

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 _____, 2018 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.