



# 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, November 14, 2022

9:00 AM

Council Work Session Room

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### **REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD**

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- eComment – The agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Public Utilities Board immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a Regular Meeting on Monday, November 14, 2022, 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:

### **REGULAR MEETING**

#### **1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC**

This section of the agenda permits a person to make comments regarding public business on items as listed on the agenda. Each speaker will be allowed a maximum of four (4) minutes. Such person(s) shall have registered under the REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD detailed at the beginning of this agenda. Registration is required prior to the time this agenda item is read into the record.

#### **2. 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 City Manager or 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 – N). 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, the Consent Agenda Items 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. [PUB22-160](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an interlocal cooperation agreement with the Town of Little Elm, providing for a volume agreement for the landfill for a term of two (2) years beginning October 1, 2022, with no renewals or extensions; and providing an effective date.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Interlocal Agreement](#)
- B. [PUB22-161](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute an interlocal cooperation agreement with Wise County, providing for a volume agreement for the landfill for a term of two (2) years beginning October 1, 2022, with no renewals or extensions; and providing an effective date.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Interlocal Agreement](#)
- C. [PUB22-179](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by City Council on September 22, 2020, in the not-to-exceed amount of \$1,472,700.00; amended by Amendment 1 approved by City Council; said second amendment to provide additional professional, construction, and bid phase services for the Lake Ray Roberts Regulatory and Performance Upgrade Project; providing for the expenditure of funds therefor; and providing an effective date (File 6590-093 - providing for an additional second amendment expenditure amount not-to-exceed \$1,470,477.00, with the total contract amount not-to-exceed \$3,606,487.00).
- Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)  
[Exhibit 2 - Original Ordinance and Contract](#)  
[Exhibit 3 - Ordinance and Amendment 1](#)  
[Exhibit 4 - Ordinance and Amendment 2](#)
- D. [PUB22-180](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 2 to the contract between the City of Denton and Mountain Cascade of Texas, LLC, for the construction of the North South Phase III 42-inch Water Transmission Line Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 7200-1- Change Order No. 2 in the not-to-exceed amount of \$220,574.60, for a total contract award aggregated to \$4,439,953.34).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Ordinance and Contract](#)  
                                 [Exhibit 3 - Ordinance and Change Order 1](#)  
                                 [Exhibit 4 - LLC Members](#)  
                                 [Exhibit 5 - Ordinance and Change Order 2](#)

- E.    [PUB22-181](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Wesco Distribution, Inc., amending the contract approved by the City Council on December 1, 2020, in the not-to-exceed amount of \$600,000.00; said first amendment to provide for additional concrete streetlight poles for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 7488 - providing for an additional first amendment expenditure amount not-to-exceed \$150,000.00, with the total contract amount not-to-exceed \$750,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Ordinance and Contract](#)  
                                 [Exhibit 3 - Ordinance and Amendment 1](#)

- F.    [PUB22-183](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying the expenditure of funds by the City Manager for the emergency repairs to the DEC starting air compressor that sustained catastrophic failure, and for equipment rental while awaiting replacement; and providing an effective date (File 8086 - awarded to MS AIR, Inc., and Texas First Rentals, Inc., in the not-to-exceed amount of \$225,384.48).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Declaration of Emergency](#)  
                                 [Exhibit 3 - Ordinance](#)

- G.    [PUB22-184](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Quorum Architects, Inc., for professional design services for the Solid Waste Fleet Maintenance Shop for the Facilities Management Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7818-004 - awarded to Quorum Architects, Inc., in the not-to-exceed amount of \$663,800.00).

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

- H.    [PUB22-185](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with J&B Five Point Construction, LLC, for directional boring services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8054 - awarded to J&B Five Point Construction, LLC, for one (1) year, with the

option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$12,000,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Pricing Evaluation](#)  
                              [Exhibit 3 - LLC Members](#)  
                              [Exhibit 4 - Ordinance and Contract](#)

- I.    [PUB22-186](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Halff Associates, Inc., for the design of the Westgate Drive Reconstruction Project for the Capital Improvements Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-011 - Professional Services Agreement for design services awarded to Halff Associates, Inc., in the not-to-exceed amount of \$1,144,280.00).

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

- J.    [PUB22-187](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Environmental Systems Research Institute, Inc., for an Enterprise Geographic Information System (GIS) Solution for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 8069 - awarded to Environmental Systems Research Institute, Inc., in the three (3) year not-to-exceed amount of \$565,500.00).

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

- K.    [PUB22-188](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Bond Equipment Company, Inc., through the Buy Board Cooperative Purchasing Network Contract # 601-19, for the purchase of Crane Carrier refuse trucks for the Solid Waste Department; providing for the expenditure of funds therefor; and providing an effective date (File 8152 - awarded to Bond Equipment Company, Inc., in the two (2) year not-to-exceed amount of \$2,420,000.00).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Cooperative Pricing](#)  
                              [Exhibit 3 - Ordinance](#)

- L.    [PUB22-189](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Starboard Consulting, LLC, for hosting, implementing, and integrating Maximo Software Suite for Utilities (MSSU) for Denton Municipal Electric (DME); providing for the expenditure of funds therefor; and providing an effective date (RFP 7817 - awarded to Starboard Consulting, LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$3,300,000.00).

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

- M.    [PUB22-192](#)      Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Professional Services Agreement with Freese and Nichols, Inc., to provide design services, bidding assistance, and construction phase services for the Ray Roberts Water Treatment Plant Chemical Systems Improvement Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-014 - Professional Services Agreement for design services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$2,233,740.00).

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

- N.    [PUB22-193](#)      Consider recommending adoption of an ordinance of the City of Denton, Texas authorizing the City manager or designee to fulfill the annual responsibilities of the City of Denton ("City"), as a municipal solid waste disposal facility operator to pay its required Texas Commission on Environmental Quality ("TCEQ") disposal fee pursuant to Title 30 Chapter 330 of the Texas Administrative code; including paying any amounts required by the TCEQ and funded in the annual budget; declaring an effective

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

### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A.    [PUB22-190](#)      Consider approval of the October 24, 2022 minutes.

Attachments:      [10.24.22 PUB Minutes](#)

- B.    [PUB22-182](#)      Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager at Risk contract with McCarthy Building Companies, Inc., for construction phase services for Southeast Denton Package B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7714 - awarded to McCarthy Building Companies, Inc., in the not-to-exceed amount of \$21,582,378).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Ordinance and Preconstruction Services Contract](#)  
                              [Exhibit 3 - Presentation](#)  
                              [Exhibit 4 - Ordinance and Contract](#)

- C.    [PUB22-191](#)      Management Reports  
                              1. Future Agenda Items

## 2. New Business Action Items

Attachments:[1. Future Agenda Items](#)[2. New Business Action Items](#)**4. 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 official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on November 10, 2022, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS 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 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.