

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES

April 10, 2023

After determining that a quorum was present of the Public Utilities Board of the City of Denton, convened in a Regular Meeting on Monday, April 10, 2023, at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck and Lee Riback and Thomas Plock

Also present: General Manager Antonio Puente and Deputy City Attorney Marcella Lunn

Absent: Chair Susan Parker

CLOSED MEETING

A. PUB23-071 - 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 competitive and financial public power information from staff related to a Power Purchase Agreement between the City of Denton and TT of Denton, Inc., (Toyota of Denton) a Texas corporation, regarding the sale and purchase of power and electric energy services; discuss and deliberate actions regarding the same. 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.

REGULAR MEETING

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

There were no public comments.

2. CONSENT AGENDA

The Consent Agenda consisted of Items 2 A-G.

Board Member Taylor moved to recommend adoption of agenda items 2 A- C, F and G. Motion seconded by Board Member Russell; motion carried.

YES (6): Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck and Lee Riback and Thomas Plock

NO (0):

A. PUB23-063 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 Kimley-Horn and Associates, Inc., for the Wastewater Lift Station Condition Assessment Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-024 - Professional Services Agreement for assessment services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$460,000.00).

B. PUB23-064 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 Kimley-Horn and Associates, Inc., for asset inventory, prioritization, condition assessment, and risk analysis with recommendations for the Pecan Creek Water Reclamation Plant Condition Assessment Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7574-026 - Professional Services Agreement for professional services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$330,000.00).

C. PUB23-065 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 8138 for general Substation Construction and Site Preparation services; and providing an effective date (RFP 8138).

D. PUB23-066 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Freese & Nichols, Inc., amending the contract approved by the City Council on September 22, 2020, in the not-to-exceed amount of \$1,472,700.00; amended by Amendments 1 and 2 approved by City Council; said third amendment to provide additional professional, construction, and bid phase services for the Lake Ray Roberts Water Treatment Plant Capacity Upgrade, Regulatory and Performance Upgrade Project; providing for the expenditure of funds therefor; and providing an effective date (File 6590-093 - providing for an additional third amendment expenditure amount not-to-exceed \$95,060.00, with the total contract amount not-to-exceed \$3,701,547.00).

This item was pulled by Board Member Riback for questions. David Brown was present to answer.

Board Member Riback moved to recommend adoption of agenda item 2D. Motion seconded by Board Member Beck; motion carried.

YES (6): Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck and Lee Riback and Thomas Plock

NO (0):

E. PUB23-067 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to increase the spend authority with Grid Training Corporation dba Northwest Lineman College, for lineman apprentice training, electrical safety courses, and lineman journeyman continuous improvement safety training for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 8172 - awarded to Grid Training Corporation dba Northwest Lineman College, providing for an additional expenditure amount not-to-exceed \$1,150,000.00, with the total contract amount not-to-exceed \$1,250,000.00).

The item was pulled by Board Member Riback for questions, other Members asked questions. Jeff Brown was present to answer.

Board Member Riback moved to recommend adoption of agenda item 2E. Motion seconded by Board Member Russell; motion carried.

YES (6): Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck and Lee Riback and Thomas Plock

NO (0):

F. PUB23-072 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Power Purchase Agreement between the City and TT of Denton, Inc., (Toyota of Denton) a Texas corporation; providing for the expenditure of funds; and providing an effective date.

G. PUB23-077 Consider recommending adoption of an ordinance of the City of Denton authorizing the City Manager to execute an Interlocal Agreement between the City of Denton and Lake Cities Municipal Utility Authority (LCMUA) for the construction of an eight-inch (8") potable water line to provide service to the City of Denton Lake Lewisville Raw Water Pump Station.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB23-075 Consider approval of the March 27, 2023, minutes.

Board Member Taylor moved to recommend approval of agenda item 3A. Motion seconded by Board Member Russell; motion carried.

YES (6): Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck and Lee Riback and Thomas Plock

NO (0):

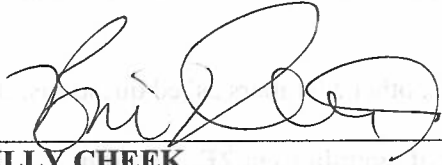
B. PUB23-076 - Management Reports

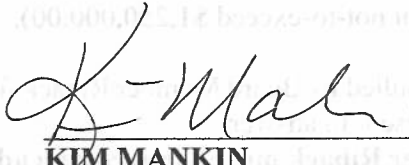
1. Electric Denton Energy Center January 2023 Year to Date Financials
2. Purchase of Property near the Hickory Creek Wastewater Detention Facility
3. Future Agenda Items
4. New Business Action Items

4. CONCLUDING ITEMS

There were no concluding items.

With no further business, the meeting was adjourned at 9:36 AM.


BILLY CHEEK
VICE CHAIR
CITY OF DENTON, TEXAS


KIM MANKIN
UTILITIES ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: April 24, 2023.