

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES

April 24, 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 24, 2023, at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

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

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

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-D.

Board Member Beck moved to recommend adoption of agenda items 2 A and C. Motion seconded by Board Member Riback; motion carried.

YES (7): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck, Lee Riback and Thomas Plock

NO (0):

A. PUB23-080 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., for environmental engineering and consulting services for the Environmental Services and Sustainability Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8171 – Professional Services Agreement for engineering and consulting services awarded to Freese and Nichols, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$750,000.00).

B. PUB23-081 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 OW Investors, LLC dba Mars Company, for a meter test bench and mobile testers for the Water Meter Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8173 - awarded to OW Investors, LLC dba Mars Company, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$796,435.00).

This item was pulled by Board Member Riback for questions. Stephen Gay was present to answer.

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

YES (7): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck, Lee Riback and Thomas Plock

NO (0):

C. PUB23-082 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 KBS Electrical Distributors, Inc., for the purchase of Electric Utility Substation Switches for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 8178 - awarded to KBS Electrical Distributors, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,693,820.00).

D. PUB23-083 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 Stearns, Conrad and Schmidt Consulting Engineers, Inc., for the engineered design of a concrete road and a vehicle undercarriage wash (wheel-wash) for the Solid Waste and Recycling Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7109-032 - Professional Services Agreement for design services awarded to Stearns, Conrad and Schmidt Consulting Engineers, Inc., in the not-to-exceed amount of \$205,245.00).

Board Member Taylor pulled this item for questions. Brian Boerner was present to answer.

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

YES (7): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck, Lee Riback and Thomas Plock

NO (0):

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB23-084 Consider approval of the April 10, 2023, minutes.

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

YES (7): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, Devin Taylor, Larry Beck, Lee Riback and Thomas Plock

NO (0):

B. PUB23-079 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 Eurovia Atlantic Coast, LLC dba Sunmount Paving Company, for the 2019 Street Bond Neighborhood 4 project for the Capital Projects Department; providing for the expenditure of

funds therefor; and providing an effective date (CSP 8110 - awarded to Eurovia Atlantic Coast, LLC dba Sunmount Paving Company, in the not-to-exceed amount of \$7,541,673.42).

Board Member Cheek recused himself.

Taylor Holt gave the presentation for this agenda item. There were questions by Board Members that staff answered.

Board Member Riback moved to recommend approval of agenda item 3B. Motion seconded by Board Member Beck; motion carried.

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

NO (0):

C. PUB23-085 - Management Reports

1. Future Agenda Items
2. New Business Action Items

4. CONCLUDING ITEMS

Board Members reminded people to vote in the election.

CLOSED MEETING

A. PUB23-086 - Consultation with Attorneys - Under Texas Government Code Section 551.071

Consult with the City's attorneys on the legal status, expenses, strategy, and options for resolution of litigation issues associated with the "Application of Denton Municipal Electric to Change Rates for Wholesale Transmission Service" pending before the Public Utility Commission of Texas under Docket No. 52715; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and Denton Municipal Electric (DME) under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

With no further business, the meeting was adjourned at 9:57 AM.


SUSAN PARKER
CHAIR
CITY OF DENTON, TEXAS

by Billy Cheek
Vice
Chair


KIM MANKIN
UTILITIES ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: May 8, 2023.

