



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, January 14, 2019

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, January 14, 2019 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.

CLOSED MEETING

- A. [PUB19-009](#) 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 information from staff, and discuss, deliberate and provide direction to staff regarding the future plans for, and current and future operations of, the Gibbons Creek Steam Electric Station owned by the Texas Municipal Power Agency. Consultation with the City's attorneys regarding legal issues associated with the future plans for, and current and future operations of, the Gibbons Creek Steam Electric Station 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. (The City of Denton is a member of TMPA).

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 – 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. [PUB19-001](#) Consider recommending adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for payment by the City of Denton for the operation and maintenance fee for water storage at Lake Lewisville and Lake Ray Roberts U. S. Army Corp of Engineers; and providing an effective date. (Water Storage O&M Fee in the total amount not to exceed \$123,000).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - USACE and Denton Contract](#)
 [Exhibit 3 - Quarterly Financial Status Report](#)
 [Exhibit 4 - Ordinance](#)

- B. [PUB19-005](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, accepting competitive bids and awarding an annual contract for heavy equipment rental for various City of Denton departments; providing for the expenditure of funds therefor; and providing an effective date (IFB 6713 - awarded to the lowest responsive bidder for each line item: Berry Companies Inc. dba Bobcat of Dallas, in a total not-to-exceed amount of \$50,000, Southlake Equipment Company, Inc. dba B&R Equipment Company in a total not-to-exceed amount of \$100,000, Closner Equipment Co., Inc., in a total not-to-exceed amount of \$115,000, Herc Rentals Inc., in a total not-to-exceed amount of \$50,000, Kirby-Smith Machinery, Inc., in a total not-to-exceed amount of \$150,000, RDO Equipment Co., in a total not-to-exceed amount of \$275,000, ROMCO Equipment Co., LLC, in a total not-to-exceed amount of \$50,000, T-K-O Equipment Co., in a total not-to-exceed amount of \$150,000, United Rentals (North America), Inc., in a total not-to-exceed amount of \$205,000, Zimmerer Kubota, in a total not-to-exceed amount of \$50,000; in a total one (1) year, not-to-exceed amount of \$1,195,000).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - Ordinance and Contracts](#)

- C. [PUB19-006](#) 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 contract through the U.S. Communities Cooperative Purchasing Program Contract # 00254 for the purchase of residential refuse and recycling carts and replacement parts; providing for the expenditure of funds therefor; and providing an effective date (File 6926 - awarded to Rehrig Pacific Company, in the three (3) year not-to-exceed amount of \$1,010,208).

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

- D. [PUB19-008](#) Consider recommending adoption of an ordinance of the City of Denton, Texas updating impact fees by Amending Chapter 26, "Utilities," section 26-210 through section 26-232 of the City of Denton Code of Ordinances; adopting revised land use assumptions and capital improvements plans for Water and Wastewater Impact Fees; establishing new service areas for Water and Wastewater impact fees; establishing new maximum impact fees per service unit and impact fees to be collected; creating schedules for the assessment and collection of impact fees; repealing conflicting ordinances and resolutions; providing for a severability clause; providing for a penalty not to exceed \$2,000 for each violation thereof; and providing an effective date.

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

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB19-002](#) Consider approval of the Public Utilities Board Meeting minutes of December 10, 2018.

Attachments: [PUB Draft Minutes 12-10-18](#)

- B. [PUB19-004](#) 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 Thalle Construction Company, Inc., for the construction of the North South Phase II 36-inch/42-inch Water Transmission Line Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (IFB 6901 - awarded to Thalle Construction Company, Inc., in the not-to-exceed amount of \$7,798,807).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - Project Map](#)
 [Exhibit 4 - Staff Presentation - PUB](#)
 [Exhibit 5 - Ordinance and Contract](#)

- C. [PUB19-003](#) ACM Update:

1. Water System Fee Payment for 2018
2. Water Environment Federation Webcast
3. 4th Quarter Financial Report
4. Future Agenda Items
5. Matrix

Attachments: [1. Water System Fee Payment for 2018](#)
 [2. WEF Webcast Presentation](#)
 [3. 4th Quarter Financial Report](#)
 [4. Future Agenda Item List](#)
 [5. 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 _____, 2019 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.