



**City of Denton
MINUTES
PUBLIC UTILITIES BOARD**

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

Monday, January 14, 2019

9:00 am

Work Session Room

After determining that a quorum of the Public Utilities Board of the City of Denton, Texas is present, the Chair of the Public Utilities Board will thereafter convene into an open meeting on Monday, January 14, 2019 at 9:00 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas

Board Members: Vice Chair Brendan Carroll, Allen Bishop, Lilia Bynum, Billy Cheek, Karen DeVinney, and Charles Jackson

Ex Officio Members: Bryan Langley, Deputy City Manager; Mario Canizares, Assistant City Manager

Absent: Todd Hileman, City Manager; Chair Susan Parker

REGULAR MEETING

1. 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).
- 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, TKO 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).
- 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)

Board Member Cheek asked how are the purchases of the recycling bins treated on the books, are they assets that are depreciated.

Ethan Cox answered they are currently an operating expense.

Board Member Cheek motioned approval with a second by Board Member Jackson. Vote 6-0 approved

- 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.**

Board Member Jackson motioned to approve Consent items A, B and D with a second by Board Member Bishop. Vote 5-0 approved. (Bynum had not arrived)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. PUB19-002 - Consider approval of the Public Utilities Board Meeting minutes of December 10, 2018.**

Board Member DeVinney motion to approve with a second by Board Member Bynum Vote 6-0 approved

- 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).**

Lee Perry gave the presentation for this item.

Project overview includes:

- Install approximately 10,000 linear feet of 36-inch and 42-inch water transmission main and 1,400 linear feet of 12-inch water main.
- Project Limits – along Bonnie Brae between Roselawn and IH35E
- Included within City water masterplan, one of the top five projects that needs to be completed
- Construction timeframe – 360 days

Bid results were shown, with six received. This contractor has not worked with the City in the past but the consultant has and was recommended by them.

Recommendation is to recommend adoption of an ordinance by the city to execute a construction contract between the City and Thalle Construction Co., Inc., in the amount of \$7,798,807 for the North South Phase 2 Water Transmission Main Project.

Board Member Cheek asked if this water line has to do with the 377 extension. Perry answered this phase it not, the next phase would.

Board Member DeVinney asked if this is connected to the expansion of Bonnie Brae. Perry answered this will go ahead of the roadway project and will be constructed this year.

Vice Chair Carroll asked if this replaces existing transmission line or is this additional capacity. Perry answered right now there is a bottle neck between Roselawn and McKenna Park from at 42 inch line to a 16 inch line, this will increase that capacity.

Board Member Bynum asked if this contractor's projects are on time. Perry answered the feedback he has heard was they are pretty good at completing projects on time.

Bishop asked does the city require all the companies that bid to be bonded. Perry answered yes.

Board Member Cheek motion to approve with a second by Board Member Bishop Vote 6-0 approved

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

CONCLUDING ITEMS

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

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).

Adjournment: 9:37am

Approved Jan. 28, 2019

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Susan Parker
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5/28/2019