

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES

July 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, July 10, 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, and Devin Taylor

Also present: General Manager Antonio Puente and Deputy City Attorney Susan Keller

Absent: Thomas Plock and Lee Riback

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.

Board Member Taylor moved to recommend adoption of agenda items 2 A. Motion seconded by Board Member Cheek; motion carried.

YES (4): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, and Devin Taylor

NO (0):

- A. PUB23-119** Consider recommending adoption of an ordinance of the City of Denton, Texas approving a joint funding agreement ("AGREEMENT") for water resource investigations by and between the City of Denton and the United States Geological Survey, Oklahoma-Texas Water Science Center, United States Department of the Interior (USGS) related to continued support of the Hickory Creek streamflow station in the amount of \$5,100.00 (Agreement Number 24SJFATX161000); authorizing the City Manager to execute and deliver the agreement; authorizing the expenditure of funds therefor; and providing an effective date.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. PUB23-125** Consider approval of the June 26, 2023, minutes.

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

YES (4): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, and Devin Taylor

NO (0):

- B. PUB23-039** Consider recommending adoption of an ordinance of the City of Denton replacing Chapter 24 - Solid Waste of the Code of Ordinances in its entirety and the addition of a Commercial Diversion Article and providing an effective date.

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

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

YES (3): Chair Susan Parker, Vice Chair Billy Cheek, and Devin Taylor

NO (1): Barbara Russell

- C. PUB23-122** 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 Service Agreement with Kimley-Horn and Associates, Inc., for the design of Neighborhood 1B for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7599-012 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$3,076,300.00).

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

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

YES (4): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, and Devin Taylor

NO (0):

- D. PUB 23-123** 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 Sundt Construction, Inc., for pre-construction services of Neighborhood 1B Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8225 - awarded to Sundt Construction, Inc., in the not-to-exceed amount of \$267,000.00).

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

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

YES (3): Chair Susan Parker, Barbara Russell, and Devin Taylor

NO (1): Vice Chair Billy Cheek

- E. PUB23-124** 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 POWER Engineers, Inc., for engineering services associated with capital improvement projects for Denton Municipal Electric; providing for

the expenditure of funds therefor; and providing an effective date (RFQ 8031-003 - Professional Services Agreement for engineering services awarded to POWER Engineers, Inc., in the not-to-exceed amount of \$2,700,000.00).

Cory Tenorio gave the presentation for this agenda item. There were no questions by the Board Members.

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

YES (4): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, and Devin Taylor

NO (0):

F. PUB23-127 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 Techline, Inc., for the supply of precast concrete pull boxes for Denton Municipal Electric to be stocked in the Warehouse; providing for the expenditure of funds therefor; and providing an effective date (IFB 8251 - awarded to Techline, Inc., in the three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$4,250,000.00).

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

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

YES (4): Chair Susan Parker, Vice Chair Billy Cheek, Barbara Russell, and Devin Taylor

NO (0):

G. PUB23-126 Management Reports

1. ERCOT Credit Policy Changes
2. Future Agenda Items
3. New Business Action Items

4. CONCLUDING ITEMS

Susan Parker and Devin Taylor will be out for the July 24th meeting.

WORK SESSION

A. PUB23-024 Receive a report, hold a discussion, and give staff direction regarding the FY 2023-24 Capital Improvement Program.

This item was not presented.

- B. PUB23-027** Receive a report, hold a discussion, and give staff direction on the proposed Solid Waste, Water, and Wastewater (Drainage) rates for FY 2023-2024.

This item was presented first due to time constraints.

Danielle Stanford gave the presentation for this agenda item. Stephen Gay gave additional information regarding rates for Wastewater Customers and information for the increase.

- C. PUB23-129** Receive a report, hold a discussion, and give staff direction regarding the Wastewater (Drainage) FY 2023-24 Preliminary Budget.

Danielle Stanford gave the presentation for this agenda item. During the item with Drainage, we lost quorum, so the meeting was adjourned at 9:43am.

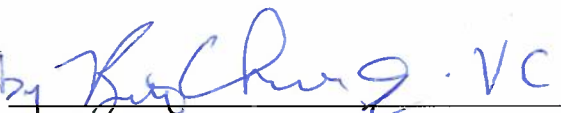
CLOSED MEETING

- A. PUB23-128** 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.

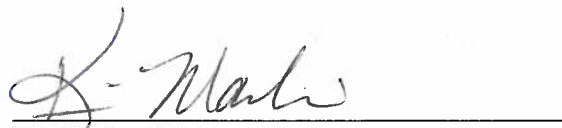
Receive information from staff regarding financial matters regarding the Denton Municipal Electric FY 2023-24 capital budget to the extent such projects are confidential under Texas Government Code Section 551.086; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorneys regarding legal issues associated the above matter 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 Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

There was no closed meeting.

With no further business, the meeting was adjourned at 9:43 AM.



SUSAN PARKER
CHAIR
CITY OF DENTON, TEXAS



KIM MANKIN
UTILITIES ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: July 24, 2023.