

**CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES**  
**July 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, July 24, 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, Thomas Plock and Lee Riback

Also present: Assistant City Manager Christine Taylor and Deputy City Attorney Marcella Lunn

Absent: Chair Susan Parker and Devin Taylor

**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 - E

**Board Member Riback moved to recommend adoption of agenda items 2 A-E. Motion seconded by Board Member Russell; motion carried.**

**YES (4): Vice Chair Billy Cheek, Barbara Russell, Thomas Plock and Lee Riback**

**NO (0):**

- A. PUB23-068** Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule Municipal Corporation, authorizing the City Manager to execute amendment number one (1) to the Power Purchase Agreement between the City and Core Scientific Inc., a Delaware Corporation; providing for an effective date.
- B. PUB23-069** Consider recommending adoption of an ordinance of The City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager to execute amendment number one (1) to the Lease with Core Scientific, Inc., a Delaware Corporation; providing for an effective date.
- C. PUB23-121** Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, ratifying a letter agreement between the City of Denton and Zachry Construction Corporation, to reimburse internal point repair and additional maintenance for Mayhill Road Phase One; providing for the receipt of funds therefor in the not-to-exceed amount of \$17,564.20; and providing an effective date.

- D. PUB23-131** 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 1898 & Co, a division of Burns & McDonnell Engineering Company, Inc., for professional engineering services to the Denton Municipal Electric Systems Operation Department; providing for the expenditure of funds therefore; and providing an effective date (RFQ 7804-010 - Professional Services Agreement for professional services awarded to 1898 & Co, a division of Burns & McDonnell Engineering Company, Inc., in the three (3) year not-to-exceed the amount of \$892,320.00).
- E. PUB23-132** 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 Kirby-Smith Machinery, Inc., an authorized dealer for Komatsu America Corp., through the Sourcewell Cooperative Purchasing Network Contract Number 032119-KOM, for the purchase of one (1) Komatsu Wheel Loader for the Water and Wastewater Departments; authorizing the expenditure of funds therefor; and providing an effective date (File 8298 - awarded to Kirby-Smith Machinery, Inc., in the not-to-exceed amount of \$290,000.00).

### **3. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. PUB23-133** Consider approval of the July 24, 2023, minutes.

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

**YES (4): Vice Chair Billy Cheek, Barbara Russell, Thomas Plock and Lee Riback**

**NO (0):**

- B. PUB23-134** Management Reports

1. Future Agenda Items
2. New Business Action Items

### **4. CONCLUDING ITEMS**

Board Member Russell - Update on the coal plant

### **CLOSED MEETING**

- A. PUB23-130** 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 an update on the Core Scientific Power Purchase Agreement and Lease that includes data stemming from public power utility competitive data; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's

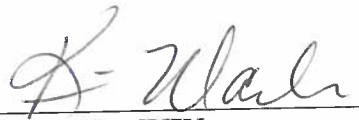
attorney regarding legal issues associated with the above matter where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of the Professional Conduct of State Bar of Texas, 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 9:05 AM.



**BILLY CHEEK**  
**VICE CHAIR**  
**CITY OF DENTON, TEXAS**



**KIM MANKIN**  
**UTILITIES ADMIN MANAGER**  
**CITY OF DENTON, TEXAS**

Minutes approved on: August 14, 2023.

