



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Public Utilities Board

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Monday, August 14, 2023

9:00 AM

Council Work Session Room

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### **REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD**

Citizens will be able to participate in the following way:

- eComment – The agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Public Utilities Board immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a Regular Meeting on Monday, August 14, 2023, 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:

### **REGULAR MEETING**

#### **1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC**

This section of the agenda permits a person to make comments regarding public business on items as listed on the agenda. Each speaker will be allowed a maximum of four (4) minutes. Such person(s) shall have registered under the REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD detailed at the beginning of this agenda. Registration is required prior to the time this agenda item is read into the record.

#### **2. 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 City Manager or 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 – N). 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, the Consent Agenda Items 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. [PUB23-101](#) Consider recommending adoption of an ordinance of the City of Denton amending the

provisions of Chapter 26, Article XI, "Miscellaneous Provisions," of the Code of Ordinances by creating Division 3, entitled "Uniform Vegetation Management Standards for Use and Occupancy of Public Rights of Way by Telecommunications and Fiber Companies"; providing for codification; creating a violation for non-performance; and providing an effective date.

**Attachments:**      [Exhibit 1: Agenda Information Sheet](#)  
                                 [Exhibit 2: Ordinance - Vegetation Mgmt \(final\)\(7.21.23\)](#)  
                                 [Exhibit 3: Notice to Telecoms](#)

- B.    [PUB23-136](#)    Consider recommending adoption of an ordinance of the City of Denton, Texas, authorizing the City Manager, or Designee, to execute Change Order No. 2 to the existing Advanced Funding Agreement between the City of Denton and the Texas Department of Transportation (TxDOT) for the relocation of public utility facilities along FM 2181 from Lillian Miller Parkway to west of FM 2499 in the City of Denton, Denton County, Texas; providing an effective date (CSJ 2054-02-015) - Change Order No. 2 in an amount not to exceed the sum of \$160,358.78 for a total contract amount aggregated to (\$2,377,095.59); authorizing the expenditure of funds therefor; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 – Original Ordinance and Agreement](#)  
                                 [Exhibit 3 - Change Order No 1 Ordinance](#)  
                                 [Exhibit 4 - Change Order No 2 and Ordinance](#)

- C.    [PUB23-138](#)    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 Raba Kistner, Inc., for construction inspection services for the relocation of water and wastewater utilities along I-35 in support of the Texas Department of Transportation Freeway Widening Project for the Capital Projects Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7894-004 - professional services agreement for construction inspection services awarded to Raba Kistner, Inc., in the not-to-exceed amount of \$1,050,000.00).

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

- D.    [PUB23-139](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 4 to the contract between the City of Denton and Texas Materials Group, Inc., dba TexasBit, for the street construction of the Southeast Denton Package A Project for the Capital Improvements Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 7896 - Change Order No. 4 in the not-to-exceed amount of \$107,907.00, for a total contract award aggregated to \$6,750,696.97).

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

[Exhibit 2 - Original Ordinance, Contract, and Change Orders 1-3](#)

[Exhibit 3 - Ordinance and Change Order 4](#)

- E.    [PUB23-141](#)    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 Wilson Contractor Services, LLC, for the Dry Fork Interceptor Project with geographical limits as follows: East of 35W from Corbin Road to Bonnie Brae Street for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8109 - awarded to Wilson Contractor Services, LLC, in the not-to-exceed amount of \$2,726,367.38).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - LLC Members](#)

[Exhibit 5 - Ordinance and Contract](#)

- F.    [PUB23-142](#)    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 purchase of electric utility substation instrument transformers for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFP 8210 - awarded to Techline, 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 \$755,410.00).

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

[Exhibit 2 - Pricing Evaluation](#)

[Exhibit 3 - Ordinance and Contract](#)

- G.    [PUB23-144](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under CSP 8264 for the Pecan Creek Water Reclamation Plant Valve and Piping Improvement project for the Water Utilities Department; and providing an effective date (CSP 8264).

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

[Exhibit 2 - Ordinance](#)

- H.    [PUB23-145](#)    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 J & B Five Point Construction, LLC, for winterization construction for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (RFP 8267 - awarded to J & B Five Point Construction, LLC, in the not-to-exceed amount of \$1,184,000.00).

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

[Exhibit 2 - LLC Members](#)

[Exhibit 3 - Ordinance and Contract](#)

- I. [PUB23-146](#) 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 Interfaith Ministries of Denton, Inc., for a utility assistance program for low-income households for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8269 - awarded to Interfaith Ministries of Denton, Inc., in the five (5) year not-to-exceed amount of \$1,538,409.00).
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Ordinance and Contract](#)
- J. [PUB23-147](#) 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 J.L. Matthews Company, Inc., for the supply of Lineman's tools and accessories for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (IFB 8280 - awarded to J.L. Matthews Company, Inc., in the five (5) year not-to-exceed amount of \$1,000,000.00).
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Bid Tabulation](#)  
                             [Exhibit 3 - Ordinance and Contract](#)
- K. [PUB23-148](#) 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 Itron, Inc., for support and services of the Meter Data Management System and other Itron software applications for Denton Municipal Electric, which is the sole provider of this software, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000, shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 8282 - awarded to Itron, Inc., for five (5) years, with the option for two (2) additional one (1) year extensions, in the total seven (7) year not-to-exceed amount of \$5,004,208.24).
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Original Contract](#)  
                             [Exhibit 3 - Ordinance and Contract](#)
- L. [PUB23-149](#) 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 United Ag and Turf, an authorized dealer for Deere & Company, through the Sourcewell Cooperative Purchasing Network Contract Number 031121-DAC, for the purchase of mowers, utility vehicles, and attachments for the Fleet Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8299 - awarded to United Ag and Turf, in the three (3) year not-to-exceed amount of \$1,500,000.00).
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                             [Exhibit 2 - Ordinance](#)
- M. [PUB23-150](#) 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 United Ag and Turf, an authorized dealer for Deere & Company, through the Sourcewell Cooperative Purchasing Network Contract Number 110719-JDC, for the purchase of tractors and attachments for the Fleet Department; authorizing the expenditure of funds therefor; and providing an effective date (File 8300 - awarded to United Ag and Turf, in the three (3) year not-to-exceed amount of \$1,700,000.00).

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

- N.    [PUB23-152](#)    Consider recommending adoption of an ordinance of the City of Denton repealing ordinance No. 17-250; approving a uniform emergency aid agreement template for the provision of aid by Denton Municipal Electric to other electric utilities and for other electric utilities' provision of aid to Denton Municipal Electric, in times of widespread system outages caused by weather, natural disaster, or equipment failure; authorizing the City Manager, or designee, to execute the aid agreement as needed and provide notification to City Council and the Public Utilities Board; authorizing the expenditure of funds therefor; and providing an effective date.

Attachments:      [Exhibit 1: Agenda Information Sheet](#)  
                              [Exhibit 2: DME Mutual Aid Template 2023](#)  
                              [Exhibit 3: Mutual Aid Ordinance](#)

### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A.    [PUB23-120](#)    Consider approval of the July 24, 2023 minutes.

Attachments:      [7.24.23 PUB Minutes](#)

- B.    [PUB23-028](#)    Consider recommending approval of the Solid Waste and Recycling Fiscal Year 2023-24 Operating and Capital Budget.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Solid Waste Budget Presentation](#)

- C.    [PUB23-029](#)    Consider recommending approval of the Water Fiscal Year 2023-24 Operating and Capital Budget.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Water Utilities Budget Presentation](#)

- D.    [PUB23-030](#)    Consider recommending approval of the Wastewater Fiscal Year 2023-24 Operating and Capital Budget.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Wastewater Budget Presentation](#)

- E.    [PUB23-031](#)    Consider recommending approval of the Electric Fiscal Year 2023-24 Operating and Capital Budget.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Electric Budget Presentation](#)

- F. [PUB23-032](#) Consider recommending approval of the Customer Service Fiscal Year 2023-24 Operating and Capital Budget.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Customer Service Presentation](#)
- G. [PUB23-140](#) 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 Oscar Renda Contracting, Inc., for the construction and movement of public water/wastewater utilities in support of the Texas Department of Transportation's I-35 widening from the I-35 Split to US-380 for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7968-004 - awarded to Oscar Renda Contracting, Inc., in the not-to-exceed amount of \$18,064,385.85).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Bid Tabulation](#)  
[Exhibit 3 - Presentation](#)  
[Exhibit 4 - Ordinance and Contract](#)
- H. [PUB23-151](#) 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 Sundt Construction, Inc., for the Bonnie Brae Phase 3 Widening and Reconstruction Project for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8094-1 - awarded to Sundt Construction, Inc., in the not-to-exceed amount of \$40,318,845.47).
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Pricing Evaluation](#)  
[Exhibit 3 - Presentation](#)  
[Exhibit 4 - Ordinance and Contract](#)
- I. [PUB23-137](#) Management Reports
1. Electric DEC Dashboard May 2023 with Informal Staff Report
  2. Winter Storm Uri Update
  3. Future Agenda Items
  4. New Business Action Items
- Attachments: [1. Electric DEC Dashboard May 2023 with Informal Staff Report](#)  
[2. Winter Storm Uri Update](#)  
[3. Future Agenda Items](#)  
[4. New Business Action Items](#)

#### 4. 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 official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on August 10, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS 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 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.