

## **CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES**

**August 14, 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, August 14, 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 Thomas Plock

Also present: Assistant City Manager Frank Dixon and Deputy City Attorney Marcella Lunn

**Absent:** Lee Riback 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 - N

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

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

**NO (0):**

- A. PUB23-101** Consider recommending adoption of an ordinance of the City of Denton amending 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.
- 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.
- 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).
- 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).
- 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).
- 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).
- 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).
- 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).
- 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).

**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).

**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).

**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).

**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).

**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.

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

**A. PUB23-120** Consider approval of the July 24, 2023, minutes.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**B. PUB23-028** Consider recommending approval of the Solid Waste and Recycling Fiscal Year 2023-24 Operating and Capital Budget.

Aimee Kaslik gave the presentation regarding the Operating and Capital Budget. There were no questions by the Board Members.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**C. PUB23-029** Consider recommending approval of the Water Fiscal Year 2023-24 Operating and Capital Budget.

Aimee Kaslik gave the presentation regarding the Operating and Capital Budget. There were no questions by the Board Members.

**Board Member Plock 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 Thomas Plock**  
**NO (0):**

**D. PUB23-030** Consider recommending approval of the Wastewater Fiscal Year 2023-24 Operating and Capital Budget.

Aimee Kaslik gave the presentation regarding the Operating and Capital Budget. There were no questions by the Board Members.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**E. PUB23-031** Consider recommending approval of the Electric Fiscal Year 2023-24 Operating and Capital Budget.

Aimee Kaslik gave the presentation regarding the Operating and Capital Budget. There were no questions by the Board Members.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**F. PUB23-032** Consider recommending approval of the Customer Service Fiscal Year 2023-24 Operating and Capital Budget.

Aimee Kaslik gave the presentation regarding the Operating and Capital Budget. There were no questions by the Board Members.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**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).

Cole Tankersley gave the presentation regarding the I-35 project. There were questions by the Board Members that staff answered.

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

**YES (4): Chair Susan Parker Vice Chair Billy Cheek, Barbara Russell, and Thomas Plock**  
**NO (0):**

**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).

Robin Davis gave the presentation regarding this project. There were questions by the Board Members that staff answered.

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

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

**NO (0):**

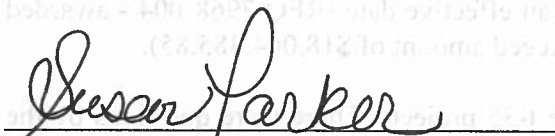
**I. PUB23-137 Management Reports**

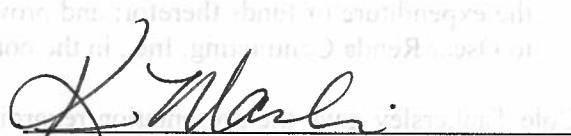
1. Electric DEC Dashboard May 2023 with Informal Staff Report
2. Winter Storm Uri Update
3. Future Agenda Items
4. New Business Action Items

**4. CONCLUDING ITEMS**

Board Member Russell – When other companies attach service lines to the electric poles and leave the lines dangling, can we do something about this. Terry Naulty gave some information but will bring back more information.

With no further business, the meeting was adjourned at 9:28 AM.

  
**SUSAN PARKER**  
**CHAIR**  
**CITY OF DENTON, TEXAS**

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

Minutes approved on: August 28, 2023.