



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Public Utilities Board

Monday, June 10, 2019

9:00 AM

Work Session Room

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, June 10, 2019 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:

WORK SESSION

- A. [PUB19-106](#) Receive a report and hold a discussion regarding the fee charged to commercial accounts when utilizing the online and phone payment channel.

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

The Public Utilities Board (PUB) will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. When items for consideration are not listed under the Closed Meeting section of the agenda, the PUB will not conduct a Closed Meeting and will immediately convene its open meeting. The PUB reserves the right to adjourn into a Closed Meeting on any item on its open meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CLOSED MEETING

- A. [PUB19-109](#) 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.

Discuss and deliberate strategies and opportunities for the City to acquire renewable energy and energy storage, and enter into agreements regarding the same, including potential power purchase agreements with respondents to the City's requests for proposals regarding these products; receive a presentation from staff regarding public power competitive and financial matters pertaining to the purchase of renewable energy and energy storage; consultation with the City's attorneys regarding legal issues associated with the agreements described above where discussion of these legal matters in an open meeting 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.

ANY FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN A CLOSED MEETING WILL ONLY BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, EXCEPT TO THE EXTENT SUCH FINAL ACTION, DECISION, OR VOTE IS TAKEN IN THE CLOSED MEETING IN ACCORDANCE WITH THE PROVISIONS OF §551.086 OF THE TEXAS GOVERNMENT CODE (THE 'PUBLIC POWER EXCEPTION'). THE PUBLIC UTILITIES BOARD RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING OR EXECUTIVE SESSION AS AUTHORIZED BY TEX. GOV'T. CODE, §551.001, ET SEQ. (THE TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF THE CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING, WITHOUT LIMITATION §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

Following the completion of the Closed Meeting, the Public Utilities Board will convene in a Regular Meeting at which the following items will be considered:

REGULAR MEETING

1. 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 Assistant City Manager of Utilities, or his 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 – H). 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, Consent Agenda Items A – H below 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. [PUB19-097](#) Consider recommending adoption of an Ordinance of the City of Denton authorizing the City Manager, or designee, to execute a confidentiality and non-disclosure agreement between the City and Allegro Development Corporation; providing for a severability clause; and providing for an effective date.

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

- B. [PUB19-098](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a third amendment to a Professional Services Agreement between the City of Denton and Deloitte & Touche, LLP, amending the contract approved by Purchasing on May 25, 2017, in the not-to-exceed amount of \$26,000, amended by Amendments 1 and 2 approved by the City Manager and City Council, said third amendment to provide professional services related to the assessment of the Energy Management Organization for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 6469 - providing for an additional third amendment expenditure amount

not-to-exceed \$192,500, with the total contract amount not-to-exceed \$423,500).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2a - Original Contract](#)
 [Exhibit 2b - Amendment 1](#)
 [Exhibit 2c - Amendment 2](#)
 [Exhibit 3 - 2017 Presentation](#)
 [Exhibit 4 - Ordinance and Amendment](#)

- C. [PUB19-099](#) 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 Clevest Solutions, Inc., for the purchase of vendor support of the Denton Municipal Electric mobile workforce management software and professional services; 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; and providing an effective date (File 7056 - awarded to Clevest Solutions, Inc., for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$288,840.03).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Sole Source Letter](#)
 [Exhibit 3 - Ordinance and Contract](#)

- D. [PUB19-100](#) 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 PerkinElmer Health Sciences, Inc., for the supply of Inductively Coupled Plasma - Mass Spectrometer Instrument, System Controller and Software; providing for the expenditure of funds therefor; and providing an effective date (RFP 7036-awarded to PerkinElmer Health Sciences, Inc., in the five (5) year not-to-exceed amount of \$149,118).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Pricing Evaluation](#)
 [Exhibit 3 - Ordinance and Contract](#)

- E. [PUB19-101](#) 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 Delta Fuel Company, LLC, for the supply of Denton Energy Center Lubricating Oil; providing for the expenditure of funds therefor; and providing an effective date (IFB 7064 - awarded to Delta Fuel Company, LLC, in the three (3) year not-to-exceed amount of \$1,182,600).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Bid Tabulation](#)
 [Exhibit 3 - LLC Members](#)
 [Exhibit 3 - Ordinance and Contract](#)

- F. [PUB19-102](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas

home-rule municipal corporation, authorizing the City Manager, or his designee, to execute a contract with Dallas Lite & Barricade, Inc., through an Interlocal Cooperative Purchasing Agreement with the City of Arlington, Bid Number 18-0096, under the Government Code, Chapter 791.001, to authorize City of Denton contracts for the acquisition of barricades to be used throughout the City by various departments; authorizing the expenditure of funds therefor; and declaring an effective date (File 7078 - awarded to Dallas Lite & Barricade, Inc., for one (1) year, with the option for two (2) additional one (1) year extensions, in the total (3) year not-to-exceed amount of \$300,000).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - City of Arlington Bid Tabulation](#)
 [Exhibit 3 - Ordinance and Contract](#)

- G. [PUB19-103](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Gershman, Brickner & Bratton, Inc., amending the contract approved by Purchasing Staff on December 20, 2018, in the not-to-exceed amount of \$48,000; said first amendment to provide the design, evaluation, and procurement of an inventory management and customer work order management system for Solid Waste and Recycling Departments in the amount of \$38,000; providing for the expenditure of funds therefor; and providing an effective date (File 6963 - providing for an additional first amendment expenditure amount not-to-exceed \$38,000, with the total contract amount not-to-exceed \$86,000).

Attachments: [Exhibit 1 - Agenda Information Sheet - PUB](#)
 [Exhibit 2 - Original Contract](#)
 [Exhibit 3 - Ordinance and Amendment](#)

- H. [PUB19-107](#) Consider recommending adoption of an Ordinance of Denton authorizing the City Manager, or his designee, to execute a Pole Attachment License Agreement between the City of Denton, a Texas-Home Rule Municipal Corporation, and Unite Private Networks, LLC, a Delaware Company ("UPN"); and, providing for an effective date.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance](#)
 [Exhibit 3 - Texas Secretary of State LLC Search Results](#)

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB19-104](#) Consider approval of the Public Utilities Board Meeting minutes of May 20, 2019.

Attachments: [PUB Draft Minutes 5-20-19](#)

- B. [PUB19-105](#) ACM Update:
1. Credit and Collections Follow-Up Summary
2. Future Agenda Items
3. Matrix

Attachments: [1. Credit and Collections Follow-Up Summary](#)
 [2. Future Agenda Item List](#)
 [3. New Business Matrix - PUB](#)

3. 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 bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2019 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY OF DENTON CITY COUNCIL WORK SESSION ROOM IS HANDICAP-ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.