



# 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, November 11, 2019

9:00 AM

Work Session Room

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After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, November 11, 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. [PUB19-211](#) Receive a report, hold a discussion, and give staff input regarding the creation of a Comprehensive Solid Waste Management Strategy for the City of Denton.

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.

### **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 – C). 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 – C 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. [PUB19-213](#) Consider recommending adoption of an ordinance of the City of Denton (“City”) authorizing the Mayor to act on the City’s behalf in executing an amendment to the Joint Operating Agreement (the “JOA”) by and between, and among, Texas Municipal Power Agency (the “Agency”) and the cities of Bryan, Denton, Garland, and Greenville (The “Parties”); and, providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet PUB19-213](#)  
                                 [Exhibit 2 - JOA Amendment No 4 \(redlined\)](#)  
                                 [Exhibit 3 - Ordinance \(with exhibit, Amendment No. 4 to the JOA\)](#)  
                                 [Exhibit 4 - Presentation- TMPA JOA Amendment No. 4 to the JOA](#)

- B.    [PUB19-215](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving an agreement between the City and the Electric Reliability Council of Texas, Inc., a Texas Non-Profit Corporation (“ERCOT”) that allows the City to provide Black Start Services to ERCOT; authorizing the expenditure of funds and providing for the receipt of funds from ERCOT; providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet PUB19-215](#)  
                                 [Exhibit 2 - Ordinance ERCOT](#)  
                                 [Exhibit 3- DME ERCOT BSS presentation](#)

- C.    [PUB19-216](#)    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 Freese and Nichols, Inc., amending the contract approved by City Council on December 5, 2017, in the not-to-exceed amount of \$1,529,180, amended by Amendments 1-2 approved by Purchasing staff, said third amendment to provide additional engineering services related to the Phase II upgrade of the Lake Lewisville water treatment plant (LLWTP), zebra mussels control measures for both Lake Ray Roberts and Lake Lewisville raw water pump stations, and LLWTP sludge dewatering facility in the amount of \$419,980; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6305 - providing for an additional third amendment expenditure amount not-to-exceed \$419,980, with the total contract amount not-to-exceed \$1,989,530).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet-PUB](#)  
                                 [Exhibit 2 - Original Ordinance and Contract](#)  
                                 [Exhibit 3 - Amendment 1](#)  
                                 [Exhibit 4 - Amendment 2](#)  
                                 [Exhibit 5 - Ordinance and Amendment 3](#)  
                                 [Exhibit 6 - Presentation](#)

## 2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A.    [PUB19-207](#)    Consider approval of the minutes of October 28, 2019.

**Attachments:**      [PUB Draft Minutes 10-28-19](#)

- B.    [PUB19-195](#)    Consider recommending adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for the payment of wholesale transmission charges in the total amount of \$7,219,975.36, and, providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - LLC Information](#)  
                                 [Exhibit 3 - Ordinance](#)

- C.    [PUB19-212](#)    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 Archer Western Construction, LLC, for the construction of Lake Lewisville Water Treatment Plant (LLWTP) Phase II Improvements; providing for the expenditure of funds therefor; and providing an effective date (IFB 7138 - awarded to Archer Western Construction, LLC, in the not-to-exceed amount of \$15,588,880).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet-PUB](#)  
                                 [Exhibit 2 - LLC Members](#)  
                                 [Exhibit 3 - Ordinance and Contract](#)  
                                 [Exhibit 4 - Presentation](#)

- D.    [PUB19-217](#)    Consider recommending adoption of an ordinance of the City of Denton, a Texas municipal home-rule corporation, repealing the entirety of Division 3. - Right-of-Way Construction, Article II - Construction and Repair, Chapter 25 - streets, sidewalks and public places, of the City's Code of Ordinances; repealing the entirety of Division 4. - Barricading of Construction and Public Rights-of-Way, Article II Construction and Repair, Chapter 25 Streets, Sidewalks and Public Places, of the City's Code of Ordinances; creating a new Division 3. - Right-of-Way Construction Management, Article II - Construction and Repair, Chapter 25- Streets, Sidewalks and Public Places, of the City's Code of Ordinances; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability; and establishing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance](#)  
                                 [Exhibit 3 - Presentation](#)

- E.    [PUB19-214](#)    Assistant City Manager Update
1. Meeting Times
  2. Water Wastewater Rate Comparison Update
  3. Denton Energy Center Quarterly Report
  4. Solid Waste Cost of Service Detail
  5. Future Agenda Items
  6. New Business Action Items

**Attachments:**      [1. Meeting Times](#)  
                                 [2. Water Wastewater Rate Comparison Update](#)  
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**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 \_\_\_\_\_

\_\_\_\_\_  
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 ACCOMODATION, 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.