



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, December 9, 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, December 9, 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. [PUB19-218](#) Receive a report, hold a discussion, and give staff direction regarding Solid Waste & Recycling grant applications to the North Central Texas Council of Governments (NCTCOG) Solid Waste Implementation Grants.

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

- B. [PUB19-226](#) Receive a report, hold a discussion, and give staff direction regarding the Denton Municipal Electric (DME) Budget.

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. [PUB19-221](#) 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 a presentation from staff regarding public power competitive and financial matters about the purchases and risks of wholesale energy supply and existing power purchase agreements as each relates to the electric budget; discuss, deliberate, and provide direction to staff regarding the same. Consultation with the City's attorneys regarding legal issues associated with the above matters 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 Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

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 – 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. [PUB19-222](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a second amendment to a Professional Services Agreement between the City of Denton and POWER Engineers, Inc., amending the contract approved by City Council on October 9, 2018, in the not-to-exceed amount of \$776,600; amended by Amendment 1 approved by the Purchasing Staff; said second amendment to provide services for CIP projects, where relay and control commissioning is required, for periodic NERC testing, meeting obligations of the Texas Municipal Power Agency (TMPA) Transmission Operator, Maintenance, and Construction Services Agreement; providing for the expenditure of funds therefor; and providing an effective date (File 6861 - providing for an additional second amendment expenditure amount not-to-exceed \$604,800, with the total contract amount not-to-exceed \$1,381,400).

Attachments: [Exhibit 1 - Agenda Information Sheet-PUB](#)
 [Exhibit 2 - Power Engineers Task List](#)
 [Exhibit 3 - Original Ordinance and Contract](#)
 [Exhibit 4 - Amendment 1](#)
 [Exhibit 5 - Ordinance and Amendment 2](#)

- B. [PUB19-227](#) 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 Associated Supply Company, Inc., through the Buy Board Cooperative Purchasing Network Contract # 597-19, for the acquisition of six (6) new Case excavators for the Water Distribution and Wastewater Collections Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7211 - awarded to Associated Supply Company, Inc., in the amount of \$737,400).

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

- C. [PUB19-228](#) 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 purchase items with Caterpillar Inc. through the Sourcewell Cooperative Purchasing Network Contract Number 032119, for the purchase of three (3) new backhoes for the Public Works (Drainage and Streets) and Denton Municipal Electric Departments and two (2) new compact excavators for the Streets and Electric Departments; authorizing the expenditure of funds therefor; and declaring an effective date (File 7233 - awarded to Caterpillar Inc., in the not-to-exceed amount of \$422,284.32).

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

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB19-224](#) Consider approval of the minutes of November 11, 2019.

Attachments: [PUB Draft Minutes 11-11-19](#)

- B. [PUB19-225](#) Assistant City Manager Update
 1. Future Agenda Items
 2. New Business Action Items

Attachments: [1. Future Agenda Items](#)
 [2. New Business Action Items](#)

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.