

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
September 14, 2020

After determining that a quorum was present of the Public Utilities Board of the City of Denton, convened in a Regular Meeting on Monday, September 14, 2020 at 9:00 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Susan Parker, Vice Chair Billy Cheek, Members Russell Bafford, Ed Soph, Karen DeVinney, Barbara Russell and Charles Parker

Also present: Executive Manager of Utilities Antonio Puente and First Assistant City Attorney Larry Collister

ABSENT: None

Note: Chair Susan Parker, Vice Chair Billy Cheek and Members Barbara Russell, Russell Bafford, Ed Soph, Charles Parker and Karen DeVinney will be participating in the work session and regular meeting via video/teleconference under the provisions allowed by the Texas Government Code Section 551.127.

REGULAR MEETING

1. CONSENT AGENDA

The Consent Agenda consisted of Items 1.A-I.

Board Member Cheek pulled agenda item 1C.

Board Member Bafford moved to recommend adoption of the Consent Agenda, items 1A, 1B, 1D, 1E, 1F, 1G, 1H and 1I. Motion seconded by Board Member DeVinney Motion carried.

YES (6): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek and Karen DeVinney

NO (0):

Board Member Charlie Parker had not arrived at this time.

A. PUB20-169 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 Freese and Nichols, Inc., to provide regulatory permitting, process evaluation, design services and Texas Water Development Board funding assistance in support of the Lake Ray Roberts Water Treatment Plant Capacity Upgrade, Regulatory and Performance Upgrades Project as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-093 - Professional Services Agreement for evaluation and

design services awarded to Freese and Nichols, Inc., in the not-to-exceed amount of \$1,472,700).

B. PUB20-170 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 contract between the City of Denton and Rehrig Pacific Company, amending the contract approved by City Council on January 15, 2019, in the not-to-exceed amount of \$1,010,208; amended by Amendment 1 approved by Purchasing, said second amendment to provide for the additional purchase of residential refuse and recycling carts and replacement parts; providing for the expenditure of funds therefor; and providing an effective date (File 6926 - providing for an additional second amendment expenditure amount not-to-exceed \$190,000, with the total contract amount not-to-exceed \$1,200,208).

C. PUB20-171 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 Emmitt A Woods dba EAW Trapping Service, for the trapping and removal of feral hogs at the City of Denton Landfill; providing for the expenditure of funds therefor; and providing an effective date (IFB 7392-2 - awarded to Emmitt A Woods dba EAW Trapping Service, for one (1) year, with the option for three (3) additional one (1) year extensions, in the total four (4) year not-to-exceed amount of \$55,000).

D. PUB20-172 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 SAE Towers Ltd., for the purchase of taper tubular, galvanized, steel structures, anchor cages, and associated hardware for the Brinker Substation; providing for the expenditure of funds therefor; and providing an effective date (RFP 7401 - awarded to SAE Towers Ltd., in the not-to-exceed amount of \$301,337.19).

E. PUB20-173 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 Berry Companies, Inc., dba Bobcat of North Texas, through the Buy Board Cooperative Purchasing Network Contract # 597-19, for authorized Bobcat equipment repair services for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (File 7432 - awarded to Berry Companies, Inc., dba Bobcat of North Texas, in the five (5) year not-to-exceed amount of \$150,000).

F. PUB20-174 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 Lonestar Municipal Equipment, LLC, through the Buy Board Cooperative Purchasing Network Contract # 593-19, for authorized Gapvax sewer equipment repair services for the Fleet and Wastewater Collections Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7440 - awarded to Lonestar Municipal Equipment, LLC, in the five (5) year not-to-exceed amount of \$150,000).

G. PUB20-177 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 CLS Sewer Equipment Co., Inc., through the Buy Board Cooperative Purchasing

Network Contract # 593-19, for authorized Vac-Con sewer equipment repair services for the Fleet and Wastewater Collections Departments; providing for the expenditure of funds therefor; and providing an effective date (File 7439 - awarded to CLS Sewer Equipment Co., Inc., in the five (5) year not-to-exceed amount of \$200,000).

H. PUB20-178 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 RDO Equipment, Co., through the Buy Board Cooperative Purchasing Network Contract # 597-19, for authorized John Deere construction equipment repair services for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (File 7441 - awarded RDO Equipment, Co., in the five (5) year not-to-exceed amount of \$250,000).

I. PUB20-179 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 Rubicon Global, LLC, to provide smart routing services for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 7169 - awarded to Rubicon Global, LLC, 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 \$500,907).

Board Member Cheek asked questions about item 1C. Brian Boerner answered the questions.

Board Member Cheek moved to recommend adoption of Consent Agenda item 1C. Motion seconded by Board Member DeVinney Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

2. RECESS OF THE REGULAR MEETING

WORK SESSION

1. Work Session Reports

A. PUB20-149 Receive a report, hold a discussion and give staff direction regarding the proposed Water, Electric, Solid Waste, Wastewater and Miscellaneous Rates for FY 2020-2021.

Nicholas Vincent gave the presentation. There were questions by Board Members and staff answered.

3. RECONVENE THE REGULAR MEETING

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB20-165 Consider approval of the August 24, 2020 minutes.

Board Member Bafford moved to recommend approval of agenda item 4A. Motion seconded by Board Member Soph, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

B. PUB20-155 Consider recommending approval of the Water Fiscal Year 2020-21 Operating and Capital Budget.

Board Member Bafford moved to recommend adoption of agenda item 4B. Motion seconded by Board Member Soph, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

C. PUB20-156 Consider recommending approval of the Wastewater and Drainage Fiscal Year 2020-21 Operating and Capital Budget.

Board Member Russell moved to recommend adoption of agenda item 4C. Motion seconded by Board Member Cheek, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

D. PUB20-157 Consider recommending approval of the Electric fiscal year 2020-21 Operating and Capital Budget.

Board Member Bafford moved to recommend adoption of agenda item 4D. Motion seconded by Board Member Soph, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

E. PUB20-158 Consider recommending approval of the Solid Waste Fiscal Year 2020-21 Operating and Capital Budget.

Board Member C. Parker moved to recommend adoption of agenda item 4E. Motion seconded by Board Member DeVinney, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

F. PUB20-159 Consider recommending approval of the Customer Service fiscal year 2020-21 Operating Budget.

Board Member Bafford moved to recommend adoption of agenda item 4F. Motion seconded by Board Member Cheek, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

G. PUB20-160 Consider recommending adoption of an ordinance establishing the rates for water and water service; providing for a repealer; providing for a severability clause; and, providing for an effective date.

Board Member Bafford moved to recommend adoption of agenda item 4G. Motion seconded by Board Member Soph, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

H. PUB20-161 Consider recommending adoption of an ordinance establishing the rates for Electric service; providing for a repealer; providing for a severability clause; and, providing an effective date.

Board Member Cheek moved to recommend adoption of agenda item 4H. Motion seconded by Board Member Soph, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

I. PUB20-162 Consider recommending adoption of an ordinance establishing the rates for Solid Waste and Recycling collection service; repealing ordinance 19-2523; providing for a repealer; providing a severability clause; and providing for an effective date.

Board Member DeVinney moved to recommend adoption of agenda item 4I. Motion seconded by Board Member Russell Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

J. PUB20-184 Consider recommending adoption of an ordinance of the City of Denton, Texas, amending the Fiscal Year 2019-2020 Budget and Annual Program of Services of the City of Denton to allow for adjustments to the Electric Fund of three million dollars (\$3,000,000) for the purpose of purchasing the landfill gas to energy facility (DTE) and increase the General Fund Return on Investment; declaring a public purpose; providing a severability clause, an open meetings clause and an effective date.

Nick Vincent gave the presentation on this item. There were no questions.

Board Member Bafford moved to recommend approval of agenda item 4J. Motion seconded by Board Member DeVinney, Motion carried.

YES (7): Board Members Russell Bafford, Ed Soph, Susan Parker, Barbara Russell, Billy Cheek, Charlie Parker and Karen DeVinney

NO (0):

K. PUB20-183 Management Reports

1. Water Wastewater Root Cause Process
2. Future Agenda Items
3. New Business Action Items

Board Member Bafford would like to see the template for the Root Cause Process.

5. CONCLUDING ITEMS

Soph asked for information/forecast for possible climate change impacts to the City and utilities assets and operations. Kenneth Banks responded to his question.

Board Members appreciated the flier that they received regarding Street Construction information.

Board Members thanked staff and appreciated the Tour of the Lake Ray Roberts Water Plant.

With no further business, the meeting was adjourned at 9:45 into the Closed Meeting.

CLOSED MEETING

A. PUB20-181 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 information from staff about and discuss and deliberate (i) the City's current renewable energy resources portfolio and (ii) new opportunities to add additional renewable energy

resources to the portfolio. Consultation with the City's attorneys regarding legal issues associated with the procurement of the additional renewable energy resources, including, but not limited to, agreements related to the above, where discussions 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 Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

Closed Meeting ended at 10:12 am.

DocuSigned by:

Susan Parker

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SUSAN PARKER

CHAIR

CITY OF DENTON, TEXAS

KIM MANKIN

UTILITIES ADMIN MANAGER

CITY OF DENTON, TEXAS

Minutes approved on: September 28, 2020.