

**CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES**  
**September 28, 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 28, 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, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

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

**ABSENT:**

**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-C.

**Board Member Soph moved to recommend adoption of the Consent Agenda. Motion seconded by Board Member DeVinney Motion carried.**

**YES (6):** Chair Susan Parker, Members Russell Bafford, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

**NO (0):**

Billy Cheek had not arrived at that time.

A. PUB20-189 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 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 Purchasing; amended by Amendment 2 approved by City Council; said third amendment to continue to provide services for CIP projects where relay and control commissioning and NERC testing is required; providing for the expenditure of funds therefor; and providing an effective date (File 6861 - providing for an additional third amendment expenditure amount not-to-exceed \$871,000, with the total contract amount not-to-exceed \$2,252,400).

B. PUB20-190 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 Romco Equipment, Co., LLC, through the Buy Board Cooperative Purchasing Network Contract # 597-19, for authorized Volvo construction equipment repair services for the Fleet Department; providing for the expenditure of funds therefor; and providing an effective date (File 7442 - awarded Romco Equipment, Co., LLC, in the five (5) year not-to-exceed amount of \$200,000).

C. PUB20-192 Consider recommending approval of a resolution of the City Council of the City of Denton, Texas ratifying a letter of support for Baylor University for a National Institute of Health Grant entitled "Development of geospatially resolved SARS-CoV-2 detection for enhanced community viral mitigation strategies in sub-sewersheds"; and providing an effective date.

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

A. PUB20-186 Consider approval of the September 14, 2020 minutes.

**Board Member DeVinney moved to recommend approval of agenda item 2A. Motion seconded by Board Member C. Parker, Motion carried.**

**YES (6):** Chair Susan Parker, Members Russell Bafford, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

**NO (0):**

Billy Cheek had not arrived at this time.

B. PUB20-187 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 SGS Engineering, LLC, amending the contract approved by City Council on July 19, 2011, in the not-to-exceed amount of \$1,260,000, amended by amendment 1 approved by City Council, said second amendment to continue to provide additional services for CIP Projects where structural and electrical designs, transmission line designs, protection system designs, and other engineering related support is required; providing for the expenditure of funds therefor; and providing an effective date (File 4755 - providing for an additional second amendment expenditure amount not-to-exceed \$3,500,000 with the total contract amount not-to-exceed \$11,435,000).

Jerry Fielder gave the presentation. There were some questions by the Board Members that was answered by staff.

**Board Member C. Parker moved to recommend approval of agenda item 2B. Motion seconded by Board Member Soph, Motion carried.**

**YES (7):** Chair Susan Parker, Vice Chair Billy Cheek, Members Russell Bafford, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph

**NO (0):**

C. PUB20-188 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 Black & Veatch Corporation, amending the contract approved by City Council on November 6, 2012, in the not-to-exceed amount of \$564,000, amended by Amendments 1-2 approved by City Council, said third amendment to continue to provide electrical substation design and other engineering-related consulting services for Capital Improvement Projects and other technical support for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 5089 - providing for an additional third amendment expenditure amount not-to-exceed \$2,990,900 with the total contract amount not-to-exceed \$6,556,300).

Jerry Fielder gave the presentation. There were some questions by the Board Members that was answered by staff.

**Board Member Russell moved to recommend approval of agenda item 2C. Motion seconded by Board Member Bafford, Motion carried.**

**YES (6): Vice Chair Billy Cheek, Members Russell Bafford, Karen DeVinney, Charles Parker, Barbara Russell and Ed Soph**

**NO (0):**

Technical difficulties; Susan Parker was dropped and did not vote.

#### **D. PUB20-191 Management Reports**

1. Hickory Creek Root Cause Analysis
2. Use of 5% Construction Contingency for Capital Improvement Projects
3. Future Agenda Items
4. New Business Action Items

The items were presented with discussion.

### **3. CONCLUDING ITEMS**

Ed Soph – Discussion and pilot project on recycling and residential composting.

Billy Cheek – See engineering cost as part of the total construction cost.

Susan Parker – Amoeba in the water system in Houston, stay on top of this story.

## **WORK SESSION**

### **1. Work Session Reports**

A. PUB20-150 Receive a report, hold a discussion, and give staff direction regarding options related to the management of landfill gas generated at the City of Denton Landfill.

Brian Boerner gave this presentation. There was discussion and questions asked by the Board Members with staff answering the questions.

Most of the Board Members are in favor to forward with staff recommendations.

B. PUB20-182 Receive a report, hold a discussion, and give staff direction regarding the Water, Wastewater (Drainage) and Electric Capital Improvement Program (CIP).

Nicholas Vincent gave these presentations for water, wastewater and electric. There were questions by the Board Members answered by staff.

This was just an update, no direction needed.

Adjourn into closed session at 11:00am

### **CLOSED MEETING**

A. PUB20-193 Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys about the City Council's direction on what information from Cause No. DC-17-08139, styled "Michael Grim and Jim Maynard v. City of Denton, Texas" pending in the 68th Judicial District Court, Dallas County, Texas, may be shared with the Public Utility Board; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Public Utility Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position in pending litigation.

With no further business, the meeting was adjourned at 11:20am

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: October 12, 2020.