

1 There were no other questions.

2
3 **B. PUB17-150 – Receive a report and hold a discussion on the proposed Water,**
4 **Wastewater, and Miscellaneous Fees Ordinance for FY 2017-2018.**

5
6 Kenneth Banks gave the presentation stating there is a zero rate increase. Residential and
7 commercial rates are unchanged from the prior year. The water tap and meter fee ordinance
8 reflects the PUB approved changed from May 22, 2017.

9
10 There are slight adjustments on the wholesale rates. There is a recommendation of three percent
11 increase based on cost of service (WW2). The raw rate will likely change it is based on 85
12 percent of the Dallas rate, the change will not be realized for a few months.

13
14 No questions on water

15
16 Wastewater residential and commercial rates are unchanged from last year. The Schedule CWM
17 Dyno Dirt ‘overs’ rate has been added; \$2.00 per cubic yard.

18
19 The collection and transportation services (SWP) fee schedule has been substantially revised.
20 Much of the fee schedule had references to engine types, which has been removed. Restaurant
21 oil and grease category has been removed based on state law changes. Municipal solid waste
22 and recycling services are provided by Denton, that category was removed. Non- City of Denton
23 language was removed. The small operator fee has been removed.

24
25 The rates associated with the SWP was changed based on a cost of service study. The container
26 and right of way fees were eliminated.

27
28 **Chair Robinson asked if there is any consideration to change the rates for C&G engines.**
29 Banks answered that hasn’t been looked at but did look at other haulers in the metroplex. The
30 rate structures were found to be similar to what staff has put together.

31
32 There were no further question on wastewater.

33
34 Banks added that on the Misc., there are no changes.

35
36 **C. PUB17-152 -Receive a report and hold a discussion on the proposed Fiscal Year**
37 **2017 – 2018 Solid Waste & Recycling Department Rate Ordinance.**

38
39 Kenneth Banks gave this presentation and stated that all rates and fees remain unchanged from
40 the prior year. The references to General Manager in the ordinance was replaced with Director
41 of Solid Waste. There was some text added to the ‘special waste’ category that charges for
42 collection and disposal of special waste that will be based on cost of service.

43
44 There were no questions.

45
46 **D. PUB17-151 -Receive a report, hold a discussion, and provide a recommendation for**
47 **a lighting maintenance agreement for the Texas Department of Transportation’s**
48 **35Express project.**

49
50 Brian Daskam gave this presentation stating there are a couple of options on how I-35 going
51 through Denton is lit either continuous or safety lighting only.

1 The 35-Express project in Denton is nearing completion and the lights will be installed in
2 August. TxDOT needs a decision on the type of lighting to move forward. The City has
3 calculated estimated costs and legal has prepared draft agreements.

4
5 Safety lighting is required which consist of 114 lamps and 56 wall packs. TxDOT will pay for
6 the safety lighting only if that is the option chosen which amounts to approximately \$10,500 per
7 year to operate.

8
9 Continuous lighting is an option which consist of 278 lamps and 56 wall packs. The City of
10 Denton will pay if the continuous lighting is the option chosen which amounts to approximately
11 \$20,600 per year to operate.

12
13 Daskam showed maps of where the lamps would be placed for continuous and safety lighting.

14
15 The benefits for safety lighting include a savings to the City of \$20,600 per year which is the
16 amount of continuous.

17
18 The benefits for continuous lighting is safer driving conditions, cities south of Denton have
19 chosen continuous lighting and more visible for law enforcement and highway work.

20
21 Recommendations are option 1 continuous lighting agreement or option 2 safety lighting
22 agreement only.

23
24 **Russell verified that TxDOT would pay for safety lighting.** Daskam agreed. **Russell stated**
25 **that other lights from the intersection of HWY380 would help illuminate that intersection.**

26
27 **Bishop asked if continuous lighting replaces safety.** Daskam answered it does. **Bishop then**
28 **asked why TxDOT wouldn't pay for the safety portion and the City pay the remainder.**
29 Daskam answered these were the two options that were given. Galen Gillum stated TxDOT
30 answered that is not in their policy, legal enquired as well.

31
32 **Russell asked about statistics on the two options.** Daskam did not have that information but
33 will look into it.

34
35 **Parker asked the opinion of the police department.** Gillum answered police like continuous
36 for safety and security.

37
38 **Bynum asked if in the residential areas if there are complaints about the lights** that other
39 cities have shared. Jerry Fielder answered they will have shields to avert the lights from the
40 residential homes.

41
42 **Robinson stated more lights would be safer and continuity would be much better.**
43 **Robinson also wished the cost was the difference and not the entire amount.**

44
45 **Bishop how would this be paid.** Daskam answered the City would pay the cost of the energy
46 while DME would pay for the maintenance.

47
48 **Parker are they energy efficient lamps.** Fielder answered LED is not an option right now but
49 are as much as possible. We could entertain the option of changing them out later when they are
50 available.

51

1 **Russell asked if safety lighting could be tried see if works if proven to not be satisfactory**
2 **then go to continuous.** Gilliam answered that TxDOT is paying to install the lights. If we opt
3 for safety only they install and move on. If we decide to go on to continuous, we would have to
4 install them, which would be a lot more money.

5
6 **Bishop asked if there are any projections on traffic counts.** He is leaning to continuous
7 because it will not get any better for sure.

8
9 **Board Member Bishop motioned to approve item D with option 1 continuous lighting.**
10 **There was a second by Board Member Parker. Vote 5-0 approved.**

11
12
13 **OPEN MEETING**

14
15 **CONSENT AGENDA**

16
17 **A. PUB17-147 – Consider recommending approval of a Professional Services Agreement**
18 **by and between the City of Denton, Texas and Kirkpatrick Architecture Studio,**
19 **Denton, Texas for professional architectural and design services for the Hickory**
20 **Substation GIS equipment building, the Hickory Substation screening wall, and the**
21 **Eagle substation GIS equipment building for Denton Municipal Electric in an amount**
22 **not-to-exceed \$616,700.00. (File No. 6483).**

23
24 **Item pulled by Board Member Russell. Russell didn't remember this substation being**
25 **a GIS unit.** Chuck sears answered this substation was approved on 11/2014 by City Council
26 and the wall after it was approved. Brian Daskam stated that City Council approved the site
27 and aesthetic wall. This was decided to go GIS after the Eagle Substation had been decided.
28 **Chair Robinson stated that PUB did not vote for this site to be a GIS substation because**
29 **of the costs.** Sears agreed, this was decided by City Council.

30
31 Chuck sears showed pictures of what the wall and substation will look like after the new unit
32 is in place. The overhead lines will be placed underground cleaning up that area drastically.

33
34 **Board Member Parker motioned to approve this item. There was a second by Board**
35 **Member Bishop. Vote 4-0 approved, (Russell had stepped out).**

36
37 **B. PUB17-148 – Consider recommending adoption of an ordinance releasing, abandoning**
38 **and vacating a 0.083 acre electric easement granted to the city of Denton, Texas, by**
39 **Alex Williams on October 11, 1956 and recorded in Volume 426 Page 97, Deed Records,**
40 **Denton County, Texas, and located in Block 20 of the Original Town of Denton, Denton**
41 **County, Texas; providing for severability and an effective date. [Abandonment of an**
42 **electric easement located in the downtown Wells Fargo parking lot, so that it may clear**
43 **the area for future development]**

44
45 **C. PUB17-157 – Consider recommending approval of a “Professional Service Agreement**
46 **(PSA)” with Garver, Inc. to perform a solids handling/dewatering study of the Lake**
47 **Lewisville Water Plant filter backwash and sedimentation basin wash-down residuals;**
48 **authorizing the expenditure of funds in an amount not-to-exceed \$77,772.00 (File**
49 **#6431).**

50

1 **Board Member Bynum motioned to approve items B and C. There was a second by Board**
2 **Member Parker. Vote 5-0 approved.**

3
4
5 **ITEMS FOR INDIVIDUAL CONSIDERATION**

6
7 **A. PUB17-155- Consider recommending approval of the Public Utilities Board Meeting**
8 **minutes of June 26, 2017.**

9
10 **Approved as circulated**

11
12 **B. PUB17-146 – Consider recommending adoption of an ordinance of the City of Denton,**
13 **Texas, authorizing the City Manager, or his designee, to execute an Advanced Funding**
14 **Agreement, in a form substantially similar as attached hereto as Exhibit 1 and in the**
15 **approximate amount of \$2,824,714.59 (amount to be finalized after bids are opened), by**
16 **and between the State of Texas, acting through the Texas Department of**
17 **Transportation (the “State”) and the City of Denton (the “City”), regarding water and**
18 **wastewater utility improvements associated with the FM 2181 roadway widening**
19 **project, located between FM 2499 and Lillian Miller Parkway and within the City of**
20 **Denton.**

21
22 Chad Allen gave this presentation regarding relocating the City of Denton utilities. TxDOT is
23 preparing to widen FM2181. This advance funding agreement (AFA) is to give them the money
24 upfront, they will hire a contractor and move our utilities.

25
26 The roadway will go from a two through lanes to a six lane divided roadway from Wind River to
27 just west of FM2499. Many of the signals will be improved as well. The drainage ditches will
28 be replaced with an underground storm drain system. There will be a five foot wide concrete
29 sidewalk will be added on both sides. The water lines, water meters, wastewater cleanouts and
30 wastewater lines will be relocated outside of the TxDOT ROW.

31
32 When a new TxDOT ROW encroaches on existing City water or sewer easement and requires
33 relocation and acquisition of a new utility easement, TxDOT will participate in the cost of the
34 utility adjustment. Utility adjustments are reimbursable. When the City water or sewer line
35 exists within current TxDOT ROW and is required to be adjusted by the TxDOT project, the
36 City is responsible for all utility adjustment and easement acquisition costs.

37
38 Sometimes ‘betterments’ are added. Utility improvements not necessitated by TxDOT highway
39 construction, installed solely for benefit and at the option of the City are called betterments. The
40 costs of installing betterments are not eligible for TxDOT cost participation or reimbursement.
41 This project includes betterments at two locations: waterline bore at Lexington Park Medical
42 Center to preserve parking area and upsizing 8” to 10” sanitary sewer line at Bent Oaks Drive.

43
44 The enclosed AFA is a draft. The draft agreement sets out terms and conditions for payment by
45 the City to the State for utility adjustment work. The city will pay TxDOT \$2.824 million.
46 Costs shown in the draft agreement are based on construction cost estimates and are only
47 approximate. The final costs will be based on bid prices provided by the contractor selected by
48 TxDOT to construct the project. The bids will be received on July 11.

49
50 Lump sum payment in the AFA is meant to be the maximum payment liability for the City on
51 this project.

1
2 The funding for this agreement will be paid for with existing water and wastewater bond funds.

3
4 **Bishop asked if the advance funding is for the total or could be more?** Allen answered that
5 staff expects there will be no more costs. When the AFA goes to Council the final amount will
6 be added. Only if the City makes changes or improvements there will be additional charges.

7
8 **Robinson asked if TxDOT will bear the costs if there are increases in cost?** Allen added
9 again staff doesn't expect any other costs, the final amount will be given to Council on July 18.
10 If something arises the Contingency line will be used.

11
12 **Robinson then stated that the reimbursement was 12 percent by wastewater and 81 percent**
13 **by water, asked for more information.** Allen answered that more of the wastewater lines are
14 in the roadway and the City has to pay for most of the costs, both water and wastewater are \$150
15 per foot to replace. The water lines were outside of the existing easements, but with the road
16 being widened they were not, that is why most of those costs are reimbursable.

17
18 **Bishop asked if the \$2.8 million is net of the reimbursable expenses.** Allen agreed. \$2.8
19 million is what we owe TxDOT. The overall project is much higher.

20
21 **Parker asked if there is there any other betterments needed.** Allen answered that all the
22 water and wastewater goals and master plan have been reviewed and are included.

23
24 **Bynum asked when will the road construction start.** Allen answered moving the utilities will
25 be first. **Bynum then asked what is the timeline.** Allen answered it is a two to three year
26 project. There are other utilities that have to be moved as well.

27
28 **Board Member Russell motioned to approve this item. There was a second by Board**
29 **Member Bynum. Vote 5-0 approved.**

30
31 **C. PUB17-149 - Consider recommendation of an ordinance accepting competitive**
32 **proposals and awarding a contract for the excavation and construction of landfill cells**
33 **3B, C, and D at the City of Denton Landfill, providing for the expenditure of funds**
34 **therefor; and providing for an effective date (RFP 6395-awarded to Hammett**
35 **Excavation, in an amount of \$3,476,092.84).**

36
37 Ethan Cox made the presentation for the development of landfill cells. Staff has processes
38 approximately 250,000 tons of refuse per year, approximately 380,000 cubic yards. Currently
39 there are three cells that are active which is about 2.1 million cubic yards. New cell development
40 takes approximately 120 days. In November 2017 the cells will be 90-95 percent full.

41
42 Cox talked a little about the proposed cell development which is about 18.8 acres.

43
44 The request for proposal is with Hammett Excavation, \$3.48 million. The budget is \$4 million.
45 Project days is about 134 days.

46
47 Next steps include going to Council then working on the cell soon after.

48
49 **Parker asked if the City has worked with Hammett previously. Cox answered no but they**
50 **have solid references.**

51

1 **Robinson asked if landfill cells are being helped by the mining project.** Cox answered the
2 mining project has not started as of yet and cannot use the cells for about 10 -15 years.

3
4 **Bynum how does recycling effect the cells.** Cox added it has a big effect, the more that can be
5 diverted the better, and the overall goal is 40 percent.

6
7 **Russell stated that mining was talked a long time ago, why not proceeding.** Cox stated with
8 new City Manager wanted the project looked at from a financial standpoint.

9
10 Estimated break ground this fall.

11
12 **Robinson stated that the two final bids were very close, was delivery is a factor.** Cox
13 answered yes.

14
15 **Board Member Parker motioned to approve items B and C. There was a second by Board**
16 **Member Russell. Vote 5-0 approved.**

17
18 **D. PUB17-156 - ACM Update**

19 **1. Matrix**

20
21 **Matrix no changes**

22
23 **CONCLUDING ITEMS**

24 Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public
25 Utilities Board or the public with specific factual information or recitation of policy, or accept a
26 proposal to place the matter on the agenda for an upcoming meeting AND Under Section
27 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest
28 regarding which no action will be taken, to include: expressions of thanks, congratulations, or
29 condolence; information regarding holiday schedules; an honorary or salutary recognition of a
30 public official, public employee, or other citizen; a reminder about an upcoming event organized
31 or sponsored by the governing body; information regarding a social, ceremonial, or community
32 event organized or sponsored by an entity other than the governing body that was attended or is
33 scheduled to be attended by a member of the governing body or an official or employee of the
34 municipality; or an announcement involving an imminent threat to the public health and safety of
35 people in the municipality that has arisen after the posting of the agenda.

36
37 **Adjournment 10:10 a.m.**