

CITY OF DENTON PUBLIC UTILITIES BOARD MINUTES
September 29, 2025

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 29, 2025, at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

Also present: General Manager Tony Puente and Deputy City Attorney Marcella Lunn

Absent: Billy Cheek and Susan Parker

REGULAR MEETING

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

There were no presentations from the public.

2. CONSENT AGENDA

The Consent Agenda consisted of Items 2 A-N. Consent Agenda Items M and N were pulled for individual consideration.

Board Member Riback moved to recommend adoption of agenda items 2 A-L. Motion seconded by Board Member Plock; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

- A. PUB25-158** Consider recommending adoption of an ordinance of the City of Denton, Texas, amending the expenditure of funds to authorize an increase of \$112,218.15 for the payment of wholesale transmission charges to American Electric Power; declaring a public purpose; and providing an effective date.
- B. PUB25-167** 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 Chemrite, Inc., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to Chemrite, Inc., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$781,000.00).
- C. PUB25-168** 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 Gasochem International, LLC., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds

therefor; and providing an effective date (IFB 8823 – awarded to Gasochem International, LLC., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$220,000.00).

- D. PUB25-169** Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a contract with Pencco, Inc., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to Pencco, Inc., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$5,083,100.00).
- E. PUB25-170** 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 Petra Chemical Company LLC, for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to Petra Chemical Company LLC, in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$5,555,000.00).
- F. PUB25-171** 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 Polydyne, Inc., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to Polydyne, Inc., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$2,828,000.00).
- G. PUB25-172** 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 PVS DX, Inc., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to PVS DX, Inc., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$4,301,000.00).
- H. PUB25-173** 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 PVS Technologies, Inc., for the purchase of water and wastewater chemicals for the Water Production and Reclamation Department; providing for the expenditure of funds therefor; and providing an effective date (IFB 8823 – awarded to PVS Technologies, Inc., in a three (3) year, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$6,050,000.00).
- I. PUB25-174** 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 Inpowerd LLC, for consulting services related to Electric

Regulatory Compliance for Denton Municipal Electric as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8840 – awarded to Inpowerd LLC, for one (1) year, with the option for four (4) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$750,000.00).

J. PUB25-175 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to approve a pre-qualified professional services list of various types of engineers for Denton Municipal Electric; and providing an effective date (RFQ 8837 – for a three (3) year term).

K. PUB25-176 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Construction Manager at Risk contract with Archer Western Construction, LLC, for pre-construction services of the Ray Roberts Water Treatment Plant Expansion Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8590 – awarded to Archer Western Construction, LLC, in the not-to-exceed amount of \$1,500,000.00).

L. PUB25-177 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 Black & Veatch Corporation, amending the contract approved by the City Council on March 21, 2023, in the not-to-exceed amount of \$185,687.00; amended by Amendment 1 approved by Purchasing; said second amendment to provide additional Advanced Metering Infrastructure (AMI) Implementation Program Oversight and Deployment Program Management for the Water Metering Department; providing for the expenditure of funds therefor; and providing an effective date (File 7574-023 – providing for an additional second amendment expenditure amount not-to-exceed \$392,750.00, with the total contract amount not-to-exceed \$614,353.00).

M. PUB25-185 Consider recommending adoption of an ordinance of the City of Denton determining the public use, need and necessity for the acquisition of approximately 3.682 acres of land located along Spencer Road, in the Mary L. Austin Survey, Abstract Number 4, City and County of Denton, Texas, from Medanjo Partners, Ltd. a Texas limited partnership, recorded by County Clerk Document Number 2018-75291, Real Property Records, Denton County, Texas; for the purpose of future expansion of the Denton Municipal Electric campus; authorizing the expenditure of funds to Not exceed One Million Seven Hundred Twenty-Four Thousand One Hundred Seventy Dollars and 14/100 (\$1,724,170.14) for the 3.682 acres and associated closing costs; and providing for a severability and an effective date.

Rayner recused himself during this item.

Board Member Plock moved to recommend adoption of agenda item 3 M. Motion seconded by Board Member Newquist; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

N. PUB25-184 Consider recommending adoption of an ordinance of the City of Denton determining the public use, need and necessity for the acquisition of approximately 9.218 acres of land located along Shady Oaks drive, in the Mary L. Austin Survey, Abstract Number 4, City and County of Denton, Texas, from Giro Realty investments, ltd. a Texas limited partnership, recorded by County clerk Document Number 2018-75451, Real Property Records, Denton County, Texas; for the purpose of future expansion of the Denton Municipal Electric campus; authorizing the expenditure of Funds to not exceed Four million Three Hundred Sixteen Thousand Five Hundred Twelve dollars and 86/100 (\$4,316,512.86) for the 9.218 Acres and associated closing costs; and providing for a severability and an effective date.

Rayner recused himself during this item.

Board Member Plock moved to recommend adoption of agenda item 3 A. Motion seconded by Board Member Newquist.; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

3. ITEMS FOR INDIVIDUAL CONSIDERATION

A. PUB25-182 Consider approval of the September 15, 2025, minutes.

Board Member Rayner moved to recommend adoption of agenda item 3 A. Motion seconded by Board Member Riback; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

B. PUB25-164 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“Denton”) providing for, authorizing, and approving the execution by the City Manager of the Power Purchase Agreement (“PPA”) between Denton and Tidwell Prairie IIA, LLC (“Tidwell Prairie”); authorizing the acceptance and approval by the City Manager of the Letter of Credit or other credit support issued on behalf of Tidwell Prairie further securing the obligations of Tidwell Prairie to Denton for the benefit of Denton; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this agreement by the City Manager, which are incident to or related to the PPA; finding that the purchase of capacity and energy made by Denton under the terms of the PPA are in the public welfare; authorizing the expenditure of funds; determining that specific information contained in documents involved in this transaction pertain to a “Competitive Electric Matter” as set forth under the provisions of §551.086 and §552.133 of the Texas Government Code, as amended; allowing the public to inspect and reproduce the PPA as redacted; and providing an effective date.

Jose Gaytan gave a presentation.

Board Member Riback moved to recommend adoption of agenda item 3 B. Motion seconded by Board Member Newquist motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

C. PUB25-165 Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“Denton”) providing for, authorizing, and approving the execution by the City Manager of the Power Purchase Agreement (“PPA”) between Denton and Blue Summit I Wind, LLC (“Blue Summit”); authorizing the acceptance and approval by the City Manager of the Letter of Credit or other credit support issued on behalf of Blue Summit further securing the obligations of Blue Summit to Denton for the benefit of Denton; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this agreement by the City Manager, which are incident to or related to the PPA; finding that the purchase of capacity and energy made by Denton under the terms of the PPA are in the public welfare; authorizing the expenditure of funds; determining that specific information contained in documents involved in this transaction pertain to a “Competitive Electric Matter” as set forth under the provisions of §551.086 and §552.133 of the Texas Government Code, as amended; allowing the public to inspect and reproduce the PPA as redacted; and providing an effective date.

Jose Gaytan gave a presentation.

Board Member Riback moved to recommend adoption of agenda item 3 C. Motion seconded by Board Member Rayner; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

D. PUB25-045 Consider recommending approval of a resolution of the City of Denton, Texas, a Texas home-rule municipal corporation, adopting the City of Denton Water Master Plan; superseding all previously adopted water master plans; and declaring an effective date.

Kyle Pedigo gave a presentation and answered questions from members of the board.

Board Member Riback moved to recommend adoption of agenda item 3 D. Motion seconded by Board Member Plock; motion carried.

YES (5): Vice Chair Devin Taylor, Thomas Plock, Robert Rayner, Lee Riback, and Aaron Newquist

NO (0):

E. PUB25-162 Management Reports

1. Future Agenda Items
2. New Business Action Items

The PUB meeting convened into Closed Session at 9:18 am and reconvened into Regular Session at 9:52 am. Rayner recused himself from Closed Session Item B.

4. CONCLUDING ITEMS

CLOSED MEETING

- A. PUB25-163** 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 regarding proposed wind resource and battery storage Power Purchase Agreements with Blue Summit I Wind, LLC and Tidwell Prairie IIA, LLC that include data stemming from public power utility competitive data; discuss, deliberate, and provide direction to staff regarding same. Consultation with City's attorney regarding issues associated with the above matter where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton Public Utilities Board under Texas Disciplinary Rule of Professional Conduct of the State Bar of Texas or would jeopardize the City's legal position in any administrative or potential litigation.

- B. PUB25-186** Deliberations regarding Real Property - Under Texas Government Code Section 551.072;

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential purchase of real property situated in the Mary L. Austin Survey, Abstract Number 4, in the City of Denton, Denton County, Texas, located near Shady Oaks Drive and Spencer Road, where a public deliberation of such potential purchase would have a detrimental effect on the City's position in negotiations with a third party.

With no further business, the meeting was adjourned at 10:03 AM.

DEVIN TAYLOR
VICE CHAIR
CITY OF DENTON, TEXAS

CASSIE BLACKBURN
ADMIN MANAGER
CITY OF DENTON, TEXAS

Minutes approved on: 10/13/2025