



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, November 18, 2024

9:00 AM

Council Work Session Room

REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD

Citizens will be able to participate in the following way:

- eComment – The agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Public Utilities Board immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a Regular Meeting on Monday, November 18, 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:

REGULAR MEETING

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

This section of the agenda permits a person to make comments regarding public business on items as listed on the agenda. Each speaker will be allowed a maximum of four (4) minutes. Such person(s) shall have registered under the REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD detailed at the beginning of this agenda. Registration is required prior to the time this agenda item is read into the record.

2. 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 City Manager or 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 – I). 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, the Consent Agenda Items 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. [PUB24-230](#) Consider recommending adoption of an ordinance of the City of Denton, Texas

considering all matters incident and related to the issuance, sale and delivery of up to \$300,000,000 in principal amount of "City of Denton Utility System Revenue Refunding Bonds, Series 2025"; authorizing the issuance of the bonds; delegating the authority to certain city officials to execute certain documents relating to the sale of the bonds; approving and authorizing instruments and procedures relating to said bonds; enacting other provisions relating to the subject; and providing an effective date.

Attachments: [Exhibit 1. Agenda Information Sheet](#)
 [Exhibit 2. Ordinance](#)

- B. [PUB24-231](#) 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 Burns & McDonnell Engineering Company, Inc., to provide project support services and Maximo support specialists for Denton Municipal Electric as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-015 - Professional Services Agreement for support services awarded to Burns & McDonnell Engineering Company, Inc., in the not-to-exceed amount of \$434,596.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- C. [PUB24-232](#) 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 Kirksey Architects, Inc., for design services for the Denton Municipal Electric Campus Masterplan project for the Capital Projects Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8376-001 - Professional Services Agreement for master plan design services awarded to Kirksey Architects, Inc., in the not-to-exceed amount of \$169,500.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- D. [PUB24-233](#) 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 Biggs & Mathews Environmental, Inc., for engineering services for the Solid Waste Chemicals and Recycling Center Facility Improvements for the Solid Waste Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8525-004 - Professional Services Agreement for engineering services awarded to Biggs & Mathews Environmental, Inc., in the not-to-exceed amount of \$131,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance and Contract](#)

- E. [PUB24-234](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 7 to the Design-Build Agreement between the City of Denton and Beta Engineering, LLC, for the

design and construction of the Hickory Gas Insulated Substation for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7670 - Change Order No. 7, in the not-to-exceed amount of \$1,087,043.85, for a total contract award aggregated to \$43,389,120.11).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Original Ordinance, Contract, Ordinances and Change Orders 1-6](#)
[Exhibit 3 - Ordinance and Change Order 7](#)

- F. [PUB24-235](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Invoice Cloud, Inc., amending the contract approved by City Council on September 28, 2021, in the not-to-exceed amount of \$1,500,000.00; said first amendment to provide additional funding for charges through the contract term for online billing portal and payment services for the Customer Service Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 7697 - providing for an additional first amendment expenditure amount not-to-exceed \$375,000.00, with the total contract amount not-to-exceed \$1,875,000.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Original Ordinance and Contract](#)
[Exhibit 3 - Ordinance and Amendment 1](#)

- G. [PUB24-236](#) 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 Flow-Line Construction, Inc., for the construction of the Granada Sanitary Sewer Improvements and Lift Station Decommissioning Project for the Water Utilities Department; providing for the expenditure of funds therefor; and providing an effective date (CSP 8573 - awarded to Flow-Line Construction, Inc., in the not-to-exceed amount of \$1,487,590.50).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Pricing Evaluation](#)
[Exhibit 3 - Ordinance and Contract](#)

- H. [PUB24-237](#) 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 Weaver Consultants Group, LLC, for the operation and maintenance of the Landfill Gas Collection and Control System as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 8525-005 - Professional Services Agreement for operation and maintenance services awarded to Weaver Consultants Group, LLC, in the not-to-exceed amount of \$52,200.00).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Ordinance and Contract](#)

- I. [PUB24-242](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive bids under IFB 8546 for Power Transformer Disposal (Scrap); and providing an effective date (IFB 8546).

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

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB24-239](#) Consider approval of the October 28, 2024 minutes.

Attachments: [10.28.2024 PUB Minutes](#)

- B. [PUB24-244](#) Consider recommending adoption of an Ordinance of the City Of Denton, a Texas Home-Rule Municipal Corporation, Authorizing the City Manager to execute a Temporary Construction Easement between the City and Core Scientific Inc., a Delaware Corporation; providing for an effective date.

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

- C. [PUB24-245](#) Consider recommending adoption of an Ordinance of The City of Denton, a Texas Home-Rule Municipal Corporation (THE “CITY”), authorizing the City Manager to execute a third amendment to the lease agreement between the City and Core Scientific Inc., a Delaware Corporation; providing for an effective date.

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

- D. [PUB24-246](#) Consider recommending adoption of an Ordinance of The City of Denton, A Texas Home-Rule Municipal Corporation, authorizing the City Manager to execute Amendment number four (4) to the Power Purchase Agreement between the City and Core Scientific Inc., a Delaware Corporation; providing for an effective date.

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

- E. [PUB24-247](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, a home-rule municipal corporation, authorizing the City Manager to execute an Agreement for Value Loss Consideration with Core Scientific, Inc., a Delaware Corporation; and providing an effective date.

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

- F. [PUB24-241](#) Management Reports
1. PUB Roster
 2. Ray Roberts Water Treatment Plant Expansion Filtration Methods
 3. Future Agenda Items

4. New Business Action Items

Attachments:

- [1. PUB Roster](#)
- [2. Ray Roberts Water Treatment Plant Expansion Filtration Methods](#)
- [3. Future Agenda Items](#)
- [4. New Business Action Items](#)

4. 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 salutory 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.

Following the completion of the Regular Meeting, the Public Utilities Board will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The Public Utilities Board (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. [PUB24-243](#) 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 containing public power information related to a Power Purchase Agreement between the City of Denton, as seller of power and electric energy services, and Core Scientific Inc.; 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 attorneys to the City of Denton 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.

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 Section 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 Texas Government Code, Section 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 Section 551.071-551.086 of the Texas Open Meetings Act.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on November 14, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE 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 ACCOMMODATION, 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.