



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Public Utilities Board

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Monday, May 6, 2024

9:00 AM

Council Work Session Room

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### **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, May 6, 2024, 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 – E). 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. [PUB24-082](#) Consider recommending adoption of an ordinance of the City of Denton determining the

public use, need, and necessity for the acquisition of (I) permanent electric easement, generally located at 3833 Airport Road, Denton, Texas 76207, A 0.408-acre easement tract (526551), Fastenal Addition, Block A, Lot 1 for the Denton West to RD Wells Project, Parcel No. 1A, situated in William Neil Survey Abstract No. 970, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit “A” (collectively, the “property interest”); authorizing the City Manager and City Attorney, to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Recommended Motion](#)

[Exhibit 4 - Location Map](#)

- B.** [PUB24-083](#) Consider recommending adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various (I) permanent water easements (II) permanent wastewater easements, and (III) temporary access and construction easements, generally located along Interstate 35 North, Loop 288 to Ganzer Road, situated in the BBB & C RR Co Survey, Abstract No. 141, Ignacio Del-Los-Santos Coy Survey, Abstract No. 212, S. Johnson Survey Abstract No. 683, Alexander White Survey, Abstract No. 1406, Nathan Wade Survey, Abstract No. 1407, all in the in the City and County of Denton, Texas, and more particularly described in the attached Exhibit “A” (collectively, the “property interest”); authorizing the City Manager and City Attorney, to acquire the Property Interest by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

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

[Exhibit 2 - Ordinance](#)

[Exhibit 3 - Recommended Motion](#)

[Exhibit 4 - Location Map](#)

[Exhibit 5 - Location Map](#)

[Exhibit 6 - Location Map](#)

- C.** [PUB24-084](#) 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 W Watertech Services, Inc., for the Ray Roberts Water Treatment Plant (RRWTP) Chain and Flight Equipment Package for the Water Utilities Department, which is the sole provider of this commodity, in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services that are available from one source are exempt from competitive bidding, and if over \$50,000, shall be awarded by

the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 8356 - awarded to W Watertech Services, Inc., in the not-to-exceed amount of \$785,000.00).

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

- D. [PUB24-088](#) Consider recommending approval of a resolution of the City of Denton, Texas adopting the City of Denton Wastewater Master Plan; and declaring an effective date.

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

- E. [PUB24-087](#) Consider recommending approval of a resolution of the City of Denton, a Texas home-rule municipal corporation, designating the City Manager to serve as the authorized representative to be the signatory for any required documents for the application to the Texas Water Development Board (TWDB) State Water Implementation Fund of Texas (SWIFT) program for a loan in the amount of \$195,845,000 to fund the Ray Roberts Water Treatment Plant Expansion project. The SWIFT program offers low interest rate financing for qualified projects.

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

### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB24-092](#) Consider approval of the April 22, 2024 minutes.

Attachments:      [4.22.24 PUB Minutes](#)

- B. [PUB24-085](#) 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 Kimley-Horn and Associates, Inc., for the design services of the Mingo Ruddell Roadway and Quiet Zone 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 7599-017 - Professional Services Agreement for design services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$6,640,400.00).

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

- C. [PUB24-086](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute the CMAR Guaranteed Maximum Price Amendment No. 2 to the Construction Manager At Risk Contract with Sundt Construction, Inc., for the construction phase services of the second work package for Neighborhood 2 and 6 Improvements for the Capital Projects Department; providing for the expenditure of funds therefor; and providing an effective date (RFP 8055 - awarded to Sundt Construction, Inc., including the second guaranteed

maximum price in the partial not-to-exceed amount of \$37,615,516.43 and a total contract price of \$51,505,116.43).

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance and Preconstruction Services Contract](#)  
[Exhibit 3 - Ordinance and Construction Services Contract](#)  
[Exhibit 4 - Presentation](#)  
[Exhibit 5 - Ordinance and GMP No. 2 Amendment](#)

- D. [PUB24-093](#) Management Reports
1. Future Agenda Items
  2. New Business Action Items

Attachments:      [1 Future Agenda Items](#)  
[2 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.

#### 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 May 3, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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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.