



# 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, August 8, 2016**

**9:00 AM**

**Service Center Training Room**

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After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, August 8, 2016 at 9:00 a.m. in the Service Center Training Room at the City of Denton Service Center, 901-A Texas Street, Denton, Texas at which the following items will be considered:

The Public Utilities Board (PUB) will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. When items for consideration are not listed under the Closed Meeting section of the agenda, the PUB will not conduct a Closed Meeting and will immediately convene its open meeting. The 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. [PUB16-169](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from staff regarding public power competitive and financial matters related to the City's participation in, and the overall operational and financial aspects of, the Texas Municipal Power Agency; discuss and deliberate strategies regarding same; discuss, deliberate and provide staff with direction.

- B. [PUB16-170](#) Deliberations Regarding Certain Public Power Utilities: Competitive Matters - Under Texas Government Code Section 551.086.

Receive a presentation from Denton Municipal Electric staff ("DME") regarding public power competitive and financial matters pertaining to plans, strategies, opportunities, and developments for generation improvements to the DME system; discuss and deliberate strategies regarding same; discuss and deliberate opportunities and strategies for the City to acquire purchased power and enter into agreements regarding the same, in order to meet its future energy needs. Discuss, deliberate and provide Staff with direction.

- C. [PUB16-182](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located South of W. Hickory Street and East of S. Bonnie Brae Street, and terminating at DME's Locust substation just South of W Collins Street and East of Fort Worth Drive in the City of Denton, Denton County, Texas; for the construction, expansion and use

of electric power transmission lines; where discussions had, deliberation, and direction given, by the Denton Public Utility Board in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton Public Utility Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Hickory to Eagle TM Line]

- D. [PUB16-183](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff and discuss, deliberate, and provide staff with direction regarding the potential acquisition of real property interests located East of Bonnie Brae St and West of N Locust St, and terminating at DME's Northlakes substation just South of Loop 288 in the City of Denton, Denton County, Texas; for the construction, expansion and use of electric power transmission lines; where discussions had, deliberation, and direction given, by the Denton Public Utility Board in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. Consultation with the City's attorneys regarding legal issues associated with the acquisition of the real property interests described above; discussion of these legal matters in an open meeting would conflict with the duty of the City's attorneys to the City of Denton and the Denton Public Utility Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation. [Bonnie Brae to North Lakes TM Line]

- E. [PUB16-191](#) Deliberations regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Receive information from staff, discuss, deliberate, and provide staff with direction pertaining to the potential acquisition of real property interests in the A. Hill Survey, Abstract No. 623, the S. Hiram Survey, Abstract 616, the W. Daniel Survey, Abstract 378, the A. Hickman Survey, Abstract 521 and the B.B.B & C.R.R. Survey, Abstract 196, City and County of Denton, Texas, and generally located along U.S. Highway 377 (Fort Worth Drive) the limits of which being bounded to the north by Interstate Highway 35 East and to the south by FM 1830 (Country Club Road). Consultation with the City's attorneys regarding legal issues associated with the potential acquisition or condemnation of the real property interests described above where a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or

potential litigation. (Fort Worth Drive Utility Relocations project)

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 §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 TEX. GOV'T. CODE, §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 §551.071-551.086 OF THE TEXAS OPEN MEETINGS ACT.

## REGULAR MEETING

Following the completion of the Closed Meeting, the Public Utilities Board will convene in a Regular Meeting at which the following items will be considered:

## CONSENT AGENDA

Each of these items 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 Assistant City Manager of Utilities or his 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 of other action under the Consent Agenda (Agenda Items A – C). 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, Consent Agenda Items A – C below 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. [PUB16-181](#) Consider recommendation of adopting of an ordinance partially releasing, abandoning and vacating a 0.4138 acre public utilities easement recorded in Volume 2637 Page 12, Real Property Records, Denton County, Texas, and located in the B.B.B. & C.R.R. Survey, Abstract No. 141; and declaring an effective date. [Abandonment of public utility easement in Medical Center Addition to allow for lot development]

Attachments:      [Exhibit 1 - Location Map](#)  
                             [Exhibit 2 - Site Map](#)  
                             [Exhibit 3 - Survey Exhibit](#)

- B. [PUB16-184](#) Consider recommendation of adopting of an ordinance partially releasing, abandoning and vacating a 0.188 acre public utilities easement recorded in Volume 923 Page 431, Deed Records, Denton County, Texas, and located in the A. Hill Survey, Abstract No. 623; and declaring an effective date. [Abandonment of public utility easement to allow for lot development; Locust Substation Addition]

Attachments:      [Exhibit 1 - Location Map](#)  
                             [Exhibit 2 - Site Map](#)  
                             [Exhibit 3 - Survey Exhibit](#)

- C. [PUB16-190](#) Consider recommendation of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of various permanent easements and temporary construction easements generally located along U.S. Highway 377 (Fort Worth Drive) the limits of which being bounded to the north by Interstate Highway 35 East and to the south by FM 1830 (Country Club Road) and being situated in the A. Hill Survey, Abstract No. 623, the S. Hiram Survey, Abstract 616, the W. Daniel Survey, Abstract 378, the A. Hickman Survey, Abstract 521 and the B.B.B & C.R.R. Survey, Abstract 196, City and County of Denton, Texas, and with the use, purpose and legal descriptions of each easement being more particularly described in the attached Exhibit "A" (the "Property Interests"); authorizing the City Manager and City Attorney, or their respective designees, to acquire the property interests by agreement including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if an agreement cannot be reached; and authorizing the City Attorney, or her designee, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date. (Fort Worth Drive Utility Relocations project)

Attachments:      [Exhibit 1- Location Map](#)  
                             [Exhibit 2- Ordinance](#)

#### ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB16-177](#) Consider approval of the Public Utilities Board Meeting minutes of July 25, 2016.

Attachments:      [Exhibit 1 - PUB 7-25-16 Draft Minutes](#)

- B. [PUB16-176](#) Consider recommending approval for a three-year Professional Services Agreement (PSA) with SSP Innovations to provide professional services in aid of Denton Municipal Electric (DME)'s Operation Technology and related software systems. Texas Local Government Code 252.022(4) allows for an exemption to competitive requirements for the expenditure of funds for procurement for a personal, professional, or planning service. Approval is for an amount not to exceed \$2,000,000.00. (PSA 6122)

Attachments:      [Exhibit 1 - DME GIS Strategic Plan.pdf](#)  
                             [Exhibit 2 - #16-2-3 SSP Statement of Work for Clevest MWFM & Responder Int](#)  
                             [Exhibit 3 - #16-2-9 SSP Statement of Work for Integration of Schneider Electric](#)  
                             [Exhibit 4 - #16-2-11 SSP Statement of Work for ArcGIS Online Public Streetligh](#)  
                             [Exhibit 5 - SSP Ballpark Estimate for Miscellaneous Requirements \(Three-year](#)  
                             [Exhibit 6 - Selection of Vendor Justification.pdf](#)  
                             [Exhibit 7 - Professional Services Agreement with SSP Innovations.pdf](#)

- C. [PUB16-185](#) Receive a report and hold a discussion regarding information security and Technology Services' security practices.

Attachments:      [Exhibit 1- Information Security Presentation](#)

- D.    [PUB16-178](#)    ACM Update:
1. Water Ordinance Update
  2. ERCOT in 2016 Energy Summit
  3. Matrix

Attachments:      [Exhibit 1 - Water Ordinance Update](#)  
                              [Exhibit 2 - ERCOT 2016 Energy Summit](#)  
                              [Exhibit 3 - New Business Matrix](#)

## 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 salutary 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.

B. Possible Continuation of Closed Meeting topics, above posted.

## CERTIFICATE

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: THE CITY OF DENTON SERVICE CENTER TRAINING ROOM IS HANDICAP-ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE 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 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.