



City of Denton

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

Meeting Agenda Public Utilities Board

Monday, October 10, 2016

9:00 AM

Service Center Training Room

After determining that a quorum is present, the Public Utilities Board of the City of Denton, Texas will convene in a meeting on Monday, October 10, 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. [PUB16-173](#)** 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.

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 – D). 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 – D 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. [PUB16-212](#) Consider a recommendation that the City Council adopt an ordinance finding that a public use and necessity exists to acquire fee simple title to a 1.253 acre tract of land situated in the J.S Collard Survey, Abstract No. 297, City of Denton, Denton County, Texas, and of the Real Property Records of Denton County, Texas (“Property Interests”), for the public use of, expansion, construction, maintenance, and operation of an electric transmission lines, ancillary facilities and structures; authorizing the City Manager, acting City Manager, or his designee, to make initial and final offers to execute a contract of sale, between the City of Denton, Texas (“City”), as buyer, and Pensco Trust Company Custodian FBO Randall D. Smith Roth IRA, Bonnie Brae Malone County, Inc., Trustee of the COTI Property Trust, and Edward F. Wolski, et. al. (“Owner”), as seller, to acquire fee title to the Property Interests for the total purchase price of \$166,859.00, and other consideration; authorizing the filing of eminent domain proceedings to acquire the Property Interests if the final offer is not accepted; authorizing the expenditure of funds; and providing an effective date. [North Lakes to Denton North TM Line]

Attachments: [Exhibit 1 - Transmission Line Map](#)

[Exhibit 2 - Easement Map](#)

- B. [PUB16-213](#) Consider a recommendation for the adoption of an ordinance of the City of Denton, Texas, to declare the intent to reimburse capital program expenditures of the Electric Utility (\$65,000,000) and Solid Waste (\$23,580,000) with Tax Preferred Obligations (Certificates of Obligation) with an aggregate maximum principal amount equal to \$88,580,000.

Attachments: [Exhibit 1 - DME and Solid Waste Projects](#)

- C. [PUB16-214](#) Consider recommending approval of an ordinance authorizing the City Manager to execute a professional services agreement for financial planning and rate modeling services for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (File 6229-awarded to New Gen Strategies & Solutions, LLC in an amount not-to-exceed \$215,000).

Attachments: [Exhibit 1 - Tasks 1-3 Financial Planning and Rate Modeling Services....pdf](#)

[Exhibit 2 - COD T&C.pdf](#)

[Exhibit 3 - HGAC T&C.PDF](#)

- D. [PUB16-217](#) Consider recommending Contract Amendment #2 to Nelson + Morgan Architects,

Inc. professional services contract (File 5497, for an additional \$158,035.00), authorizing the City Manager to execute an amended professional services agreement for architectural, structural, mechanical, and engineering design services to support the design of the new City of Denton Fleet Services Annex Facility to be located at 1527 South Mayhill Road; providing for the expenditure of funds in the amount of \$202,948.09; and providing an effective date.

Attachments: [Exhibit 1 -Second Amendment Contract](#)
 [Exhibit 2 - Architect/Engineer PSA](#)

ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB16-210](#) Consider approval of the Public Utilities Board Meeting minutes of September 12, 2016.

Attachments: [Exhibit 1 - PUB 9-12-16 Draft Minutes](#)

- B. [PUB16-211](#) ACM Update:
1. ARCO Substation Video -
<<https://m.youtube.com/watch?feature=youtu.be&v=Vg-Iud0p6VE>>
2. Shady Oaks Recycling Drop-Off Site Closure
3. Matrix

Attachments: [Exhibit 2 - ACM Closure of Shady Oaks Drop-off Site](#)
 [Exhibit 3 - New Business Matrix - Copy](#)

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.