



# 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, 2022

9:00 AM

Council Work Session Room

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### **REGISTRATION GUIDELINES FOR ADDRESSING THE PUBLIC UTILITIES BOARD**

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- 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 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, August 8, 2022, 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 – L). 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. [PUB22-110](#) 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 Heritage-Crystal Clean, LLC, for the removal and disposal of oil, filters, absorbents, and coolant for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7639 - awarded to Heritage-Crystal Clean, LLC, for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$76,533.30).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet - PUB](#)  
[Exhibit 2 - Bid Tabulation](#)  
[Exhibit 3 - LLC Members](#)  
[Exhibit 4 - Ordinance and Contract](#)

- B. [PUB22-111](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a fourth amendment to a contract between the City of Denton and Schneider Electric Smart Grid Solutions, LLC, formerly Telvent USA, LLC, amending the contract approved by City Council on May 7, 2013, in the not-to-exceed amount of \$491,813.75; said fourth amendment to continue to provide vendor support of the Denton Municipal Electric (DME) ArcFM Solution and associated software modules along with new hardware and software upgrades, which is the sole provider of these items, 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 8048 - providing for a two (2) year term and an additional fourth amendment expenditure amount not-to-exceed amount of \$95,000.00, with the total contract amount not-to-exceed \$817,480.75).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet - PUB](#)  
[Exhibit 2 - Original Ordinance, Contract, Amendments, and Name Change](#)  
[Exhibit 3 - LLC Members](#)  
[Exhibit 4 - Ordinance and Amendment 4](#)

- C. [PUB22-112](#) 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 Water/Wastewater Impact Fee Study for the City of Denton Water Utilities Department as set forth in the contract; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7998 - Professional Services Agreement for professional services awarded to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$194,600.00).

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

- D. [PUB22-113](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute Low Income

Household Water Assistance Program (LIHWAP) vendor agreement between the Texhoma Council of Governments, and the City of Denton, Texas; providing for the acceptance of funds issued to Denton Municipal Utilities on behalf of customers; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Ordinance](#)  
[Exhibit 3 - LIHWAP Vendor Agreement](#)

- E. [PUB22-114](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to enter into and execute vendor agreements with non-profit or governmental organizations that provide utility bill relief; providing for the acceptance of funds issued to Denton Municipal Utilities on behalf of customers from said no-profit or governmental organizations; and providing an effective date.

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

- F. [PUB22-115](#) Consider recommending adoption of an ordinance of the City of Denton amending City Ordinance 18-1520 City of Denton Utility Billing Adjustments Policy to reflect changes adopted in Code of Ordinances to Section 26-128; providing a severability clause; providing a savings clause; providing for codification; and declaring an effective date.

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

- G. [PUB22-117](#) 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 manage and control the geometric network to a utility network in the capacity of Owner's Engineer to DME Systems Operation Department; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7804-004 - Professional Services Agreement for professional services awarded to Burns & McDonnell Engineering Company, Inc., in the not-to-exceed amount of \$387,500.00).

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

- H. [PUB22-118](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 1 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. 1 in the not-to-exceed amount of \$811,000.00, for a total contract award aggregated to \$41,280,000.00).

- Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Original Ordinance and Design-Build Agreement](#)  
[Exhibit 3 - LLC Members](#)  
[Exhibit 4 - Ordinance and Change Order 1](#)

- I. [PUB22-122](#) Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 1 to the contract between the City of Denton and Pavecon Public Works LP, for the construction of the 2020 Street Bundle Sector I Project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (CSP 7803 - Change Order No. 1, in the not-to-exceed amount of \$378,258.72, for a total contract award aggregated to \$4,158,333.95).

- Attachments:**      [Exhibit 1 - Agenda Information Sheet - PUB](#)  
[Exhibit 2 - Original Ordinance and Contract](#)  
[Exhibit 3 - Ordinance and Change Order No. 1](#)

- J. [PUB22-123](#) 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 N. Harris Computer Corporation, for the renewal extension of maintenance for continued vendor support for Harris Public Utility Billing System and associated software modules, which is the sole provider of this software, 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 8062 - awarded to N. Harris Computer Corporation, 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 \$2,353,646.73).

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

- K. [PUB22-124](#) 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 Hampel Oil Distributors, Inc., for the supply of engine lubrication oil, cooling system corrosion inhibitor, and monopropylene glycol additives for the Denton Energy Center; providing for the expenditure of funds therefor; and providing an effective date (IFB 7933 - awarded to Hampel Oil Distributors, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$3,388,787.60).

- Attachments:**      [Exhibit 1 - Agenda Information Sheet - PUB](#)  
[Exhibit 2 - Bid Tabulation](#)  
[Exhibit 3 - Ordinance and Contract](#)

- L. [PUB22-127](#) 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

LabWare, Inc., for the maintenance and upgrades to the Laboratory Information Management System for the Water and Wastewater Laboratory, which is the sole provider of this software, 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 8014 - awarded to LabWare, Inc., for three (3) years, with the option for two (2) additional one (1) year extensions, in the total five (5) year not-to-exceed amount of \$152,400.00).

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

### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PUB22-125](#) Consider approval of the July 25, 2022 minutes.

**Attachments:**      [7.25.22 PUB Minutes](#)

- B. [PUB22-041](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Water and Water service; repealing Ordinance No. 21-2112; providing for a repealer; providing for a severability clause; and, providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Water Red Line Rate Ordinance](#)  
[Exhibit 3 - Water Rate Ordinance](#)

- C. [PUB22-042](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, establishing the schedule of rates and fees for Wastewater service; repealing Ordinance No. 21-2113; providing for a repealer; providing for a severability clause; and, providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Wastewater Red Line Rate Ordinance](#)  
[Exhibit 3 - Wastewater Rate Ordinance](#)

- D. [PUB22-044](#) Consider recommending adoption of an ordinance of the City of Denton, Texas, establishing the rates and fees for Solid Waste and Recycling Collection service; providing further information regarding such collection, and establishing indemnity for the City; incorporating and applying sections 26-3, 26-4, 26-5, 26-7, 26-8(A), and 26-9 of article I of chapter 26 of the City of Denton Code of Ordinances; repealing Ordinance No. 21-2114; providing for a repealer; providing for a severability clause; and, providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Solid Waste Red Line Rate Ordinance](#)  
[Exhibit 3 - Solid Waste Rate Ordinance](#)

- E. [PUB22-126](#) Management Reports:

1. On-call stormwater services for CIP and engineering
2. 2022 System Achievement Award by the Texas Public Power Association
3. Future Agenda Items
4. New Business Action Items

**Attachments:**      [1. On-Call Stormwater Services for CIP and Engineering](#)  
[2. 2022 System Achievement Award by the Texas Public Power Association](#)  
[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 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.

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

#### **WORK SESSION**

- A. [PUB22-116](#) Receive a report, hold a discussion, and give staff direction regarding the City of Denton ordinance and guidelines in issuing utility bill payment agreements.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation-Rev](#)

#### 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 August 4, 2022, 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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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.

