



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: City Attorney's Office

CM/ DCM/ ACM: Mack Reinwand, City Attorney

AGENDA DATE: June 6, 2023

SUBJECT

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing payment in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) pursuant to an engagement between the City of Denton and Carolyn Ahrens, Attorney at Law approved by the City Attorney on March 11, 2022, to provide legal services to the City of Denton for negotiating water rights, supply contracts, and submitting permit applications; providing for the expenditure of funds therefor; and providing an effective date.

INFORMATION/BACKGROUND

The Water Utilities Department has various contracts that are expiring and need updating to comply with current law. There are also new TCEQ permits needed for new facilities and increased capacity and updates to permits for the modernization of current permits. Water Utilities and the City Attorney's Office have been working to simultaneously complete various contracts and TCEQ permit applications as well as other water related general matters for the City including a Reservoir Yield Study, an Operational Agreement, a Water Supply Contract, an Interim Raw Water Contract, Treated Water Contract, Permit Modernization Amendments, Bed & Banks Uprate Amendment, Contract Template Project, Bed & Banks permits for both Hickory and Clear Creek, current legislative issues, Texas Water Development Board (TWDB) Financing, Water Supply Plan including Aquifer Storage and Recovery, 210 Authorization issues, U.S. Army Corps of Engineers Contracts, Certificates of Convenience and Necessity, Groundwater Well, Hickory Hill Road Sewer, and Dam Safety.

In addition to the requirement that these projects be completed for compliance with federal and state law, these matters involve ensuring the City is prepared for the increase in demand for water and water related services while also ensuring the City is fairly compensated in contracts providing services to other water entities, outside cities and industrial and commercial customers.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On March 11, 2022, the City Attorney approved an engagement with Booth & Associates, P.C.

RECOMMENDATION

Authorizing payment in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) pursuant to an engagement between the City of Denton and Carolyn Ahrens.

PRINCIPAL PLACE OF BUSINESS

Booth & Associates, P.C., Ahrens, Of Counsel
Austin, TX

ESTIMATED SCHEDULE OF PROJECT

The contract template for the Water Portfolio of Contracts has been completed, and contracts for the Reservoir Yield Study, Interim Raw Water Contract, Modernization Amendments have been completed and submitted to the appropriate parties for review. The Bed and Banks permits will be submitted upon approval of the TPDES permit. Negotiation of the completed agreements is expected to take several months.

FISCAL INFORMATION

These services will be funded from Denton Water Utilities operating account 630001.7854

EXHIBITS

Exhibit 1: Agenda Information Sheet

Exhibit 2: Ordinance

Respectfully submitted:

/s/Susan Keller
Deputy City Attorney

Prepared by:
Elaine Ortolani

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Elaine Ortolani