

**DRAFT MINUTES
PUBLIC UTILITIES BOARD**

Monday, April 10, 2017	9:00a.m.	City Council Work Session Room
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After determining that a quorum of the Public Utilities Board of the City of Denton, Texas is present, the Chair of the Public Utilities Board will thereafter convene into an open meeting on Monday, April 10, 2017 at 9:00a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

Present: Chair Randy Robinson, Vice Chair Susan Parker, Barbara Russell, Charles Jackson, Allen Bishop, Brendan Carroll and Lilia Bynum

Ex Officio

Members: Todd Hileman, CM and Jon Fortune, ACM

REGULAR MEETING

1. PUBLIC HEARING

A. PUB17-065 - Hold a public hearing and consider recommending that the City Council adopt a resolution regarding the proposed site for construction, expansion, and use of an electric power transmission substation generally located in the northeast corner of East Sherman Drive and Hartlee Field Road; as part of Denton Municipal Electric's service territory. [Hartlee Field Substation].

Brian Daskam began the public hearing by giving an overview of the project. The Hartlee Field Substation is needed to meet growth and DME has the responsibility to respond. DME has proposed five optional sites, with two of these sites appearing most viable.

Daskam showed several maps of the sites. The budget cost were discussed for the sites.

The public involvement was discussed. There were several means used to get the word out to the neighborhood. The landowner for the blue and green site does not want to sell. The school district does not want the substation on the blue or green sites. The homeowners in the area of the yellow site do not want that site used (the yellow site is owned by the City of Denton).

Board Member Russell asked how the City owns the property. Daskam answered it was purchased by the water department for a project that did not materialize.

Chair Robinson asked about the cost associated with the different sites. Daskam answered they are similar with the yellow site being easier since it is owned by the City of Denton. The blue and green sites will take longer since the owner does not want to sell.

Chair Robinson opened the meeting to the public to speak.

1. Fritz Poppe – 2743 Harltee Field Road – His property would share the fence with the yellow site. He originally owned this site. He doesn't mind the substation on the yellow site as long as it is completely to the north of the property. Believes the slope on the hill will help.

2. Anite Woessner – 5512 Woodland Hills and 2703 Hartlee Court - 43 years – in opposition, doesn't believe it should be behind the houses. Believes it should be on the green or blue sites. Traffic is already bad. Visually unacceptable. Negative impact to property values.
Randy Robinson asked if the slope would help. Woessner does not believe it will help.
3. Sharon Kremer – 3574 Pine Trail – Lived since 1979. Hartlee Field Road is in bad shape and will not stand the construction of this substation. In established neighborhood. Should be on blue or green site, much easier to construct. Not optimal on yellow, pink or orange sites.
4. Ned Woodbridge – 3596 Hartlee Field – Recognizes the need for growth. Why locate so close to existing substation. Impact the pleasurable use of homes. Negative impact home values. Health implications. Better located on the blue or green sites.
5. Ann Woodbridge – 3596 Hartlee Field – did not speak, card read would like the substation located on the blue or green sites.
6. David Kuhlken – 4610 Shoalwood Ave. Austin, TX – Owner of the blue and green sites. Old family farm. He is opposed of using the green or blue sites, the total site is 237 acres this would diminish the value of the entire site. Has power lines that subdivide the site and gas line already. This would be an eye sore on the side of the road.
7. Bessie Lou Dobson – 5547 Woodland Hills - Owned since 1968. Doesn't approve to have across from school. Did the city purchase an easement to go make a street on to FM428? City not sure but will find out. Electric lines over her property. There is already a wastewater treatment plant on Hartlee Field. Traffic bad, need street improvements.

Board Member Russell asked who would take care of the roads. Phil Williams answered FM428 is TxDOT, first part of Hartlee Field is City of Denton, then internal Hartlee Field is Denton County.

8. Elizabeth Ferring – Lives in the ETJ – Would like staff to find another site, there are many substations in this area. Health implications.

With no other speakers, Robinson read the cards.

Cards read:

Jeri McClendon – 2729 Hartlee Ct. – opposed to locating substation on Hartlee Field Road.
Sandra Marsh – 5513 Woodland Hills - opposed to the property on Hartlee Field.

Board Member Carroll asked if a GIS substation was an option. Phil Williams answered 'no' that is for areas without land options, it also doubles the cost.

Chair Robinson stated that staff would like a recommendation to go to City Council for this item. Robinson also added that some renderings would be helpful when this item goes to Council. Daskam stated that this takes about four weeks but will order them.

Board Member Russell asked about the electric lines going in and out. Williams answered

1 there will be eight feeders, distribution lines will go out underground and come out on Sherman
2 Drive.

3
4 Williams also spoke to the health hazards adding that working with electricity if there were any
5 real hazards it would be evident in the employees. There hasn't been any substantiated health
6 problems with transmission lines or substations.

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8 When the Kings Row Substation was built it was out in the country and houses are built right up
9 close to this substation. That is one of the reasons DME would like to get ahead of the growth and
10 put this out from homes.

11
12 **Board Member Jackson asked where the electric lines will come out on Sherman Drive.**
13 Williams responded half would come out at Sherman Drive and half at Hartlee Field Road, the
14 design is not complete on exactly where the lines would come out. There are no plans for lines to
15 come out over homes. There are no served areas over the homes. If at a later date there are, the
16 lines would come out no matter where the substation is located.

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18 There was a question from a citizen in the audience regarding construction traffic on Hartlee Field
19 Road. Williams answered he is talking with his staff about making an access road that is directly
20 west of the top line of the yellow site. This access road would be out to FM428 and not on Hartlee
21 Field Road. There has been no commitments on this just yet.

22
23 **Board Member Jackson recommended the yellow site with provisions to construct the**
24 **substation on the northern portion of that property and for DME to investigate the access**
25 **road option. There was a second by Board Member Parker. Vote 7-0 approved.**

26
27 **Board Member Carroll stated that all citizens that were at this meeting spoke in opposition**
28 **of the yellow site except one gentleman. Unfortunately the yellow site seems like the best**
29 **option. He realizes how unsightly they are but living in close proximity to one. That is**
30 **also the price we have to pay for electricity. Carroll also expressed to the citizens to hold the**
31 **City responsible for what has been promised whether it be the access road or aesthetics.**

32
33 **Chair Robinson thanked all the citizens that came out to the meeting.**

34 35 **ITEMS FOR INDIVIDUAL CONSIDERATION**

36
37 **A. PUB17-075-** Consider recommending approval of the Public Utilities Board Meeting
38 minutes of March 27, 2017.

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40 **Approved as circulated**

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42 **B. PUB17-087 -** Consider recommending approval of IFB 6375 to Dickerson Construction
43 Company in the amount of \$1,038,187.00 for the construction of the Pecan Creek Interceptor
44 IV project.

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46 Jim Wilder talked about the item showing a map. There isn't enough capacity in the current
47 interceptor, it has been past capacity for about ten years. There were five bids.

48
49 **Board Member Russell asked what an interceptor is.** Wilder answered it is a large line (30
50 inches). This is a wastewater line that will be built during June and July while school is out.
51

1 Board Member Carroll asked if this is joining lines. Wilder agreed.

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3 **Board Member Russell motioned to approve item B (17-087), with a second by Board**
4 **Member Bynum. Vote 7-0 approved.**

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6 **C. PUB17-089 - ACM Update:**

7 1. Matrix

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9 **Matrix no changes**

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11 **3. CONCLUDING ITEMS**

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13 Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public
14 Utilities Board or the public with specific factual information or recitation of policy, or accept a
15 proposal to place the matter on the agenda for an upcoming meeting AND Under Section
16 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest
17 regarding which no action will be taken, to include: expressions of thanks, congratulations, or
18 condolence; information regarding holiday schedules; an honorary or salutary recognition of a
19 public official, public employee, or other citizen; a reminder about an upcoming event organized
20 or sponsored by the governing body; information regarding a social, ceremonial, or community
21 event organized or sponsored by an entity other than the governing body that was attended or is
22 scheduled to be attended by a member of the governing body or an official or employee of the
23 municipality; or an announcement involving an imminent threat to the public health and safety of
24 people in the municipality that has arisen after the posting of the agenda.

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26 **CLOSED MEETING**

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28 **A. PUB17-086 - Deliberations Regarding Real Property - Under Texas Government Code Section**
29 **551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.**

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31 Receive information from staff and discuss, deliberate, and provide staff with direction
32 regarding real estate matters related to DME Hickory substation, and the potential acquisition
33 of certain real property located at the intersection of W. Hickory St. and S. Bonnie Brae St.;
34 where discussions had, deliberation, and direction given, by the Denton Public Utilities Board
35 in an open meeting would have a detrimental effect on the position of the City in negotiations
36 with a third party. Consultation with the City's attorneys regarding legal issues associated with
37 the potential condemnation or acquisition of the real property interests where a public
38 discussion of these legal matters would conflict with the duty of the City's attorneys to the City
39 of Denton and the Denton Public Utilities Board under the Texas Disciplinary Rules of
40 Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position
41 in any administrative proceeding or potential litigation. [Hickory Substation]

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44 **Adjournment 10:13 a.m.**