



**City of Denton  
MINUTES  
PUBLIC UTILITIES BOARD**

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

---

**Monday, September 9, 2019**

**9:00 am**

**Work Session Room**

---

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, September 9, 2019 at 9:00 a.m. in the Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas

**Board Members: Chair Susan Parker, Vice Chair Billy Cheek, Secretary Ed Soph, Karen DeVinney, Russell Bafford, Barbara Russell and Charles Parker**

**Ex Officio Member: Mario Canizares, Assistant City Manager**

**WORK SESSION**

**A. PUB19-175 - Receive a report, hold a discussion, and give staff direction regarding the care, management, and proposed reuse of the closed City of Denton Moseley Road Landfill.**

Brian Boerner talked about this item. He started with the history of the landfill and the current site conditions. A map was shown of the area. The site evaluation by Parkhill, Smith & Cooper was talked about and four repair alternatives were given.

Reuse of Land Over Closed MSW Landfills was then presented and explained by Boerner.

Recreational uses were discussed between Gary Packan, Director of Parks and Boerner. Once this is repaired it would be a shame to just leave it. Biking and hiking have been discussed.

The access is through the Town of Cross Roads and they have requested compensation for repairing the road. The estimation is \$603,121. The next steps include staff recommendation of full repair at \$3.7 million.

Board Member Devinney asked about using this as a tree farm. Boerner stated the cap cannot be penetrated.

Board Member Soph asked if there is decomposing matter under the cap. Boerner stated there are not any methane detected from this site. Soph asked if there is monitoring at the site. Boerner answered there was monitoring when the site was assessed but there is not ongoing monitoring.

Board Member Bafford asked if the \$600,000 for rebuilding the road, is that included in the \$3.7 million. Boerner answered no. Bafford then followed up asking if this amount is budgeted. Boerner answered it is in reserves.

Chair Parker asked if there are liners in this landfill. Boerner answered it is not built with the integrity of landfills today.

Board Member Russell asked if there is anything other than a bike trail. Packan answered a hiking trail has been looked at as well. There is Army Corp property that could have hiking trails added and could be expanded another 50 acres. No vehicles are allowed on that property to include bicycles.

Cheek asked if the plan would be to give Cross Roads the money ore reimburse them. Boerner answered that is the discussion and would probably be a reimbursement.

Soph asked if there is a lifetime associated with the cap. Boerner answered as long as the drainage and grasses are maintained, the cap can last forever.

There were more questions and discussion by the Board.

The consensus was option 3, full repair at \$3.7 million.

## **REGULAR MEETING**

### **1. CONSENT AGENDA**

**Items A, D E and H were pulled by Board Member Bafford for questions.**

**Board Member Cheek motioned to approve consent agenda items B, C, F and G with a second by Board Member Devinney. Vote 7-0 approved.**

- A. **PUB19-165** - Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Garver, LLC, amending the contract approved by City Council on August 21, 2018, in the not-to-exceed amount of \$520,920; said first amendment to provide the construction administration service for the Lake Lewisville Water Treatment Plant Dewatering Facility in the amount of \$255,092; providing for the expenditure of funds therefor; and providing an effective date (RFQ 6590-025 - providing for an additional first amendment expenditure amount not-to-exceed \$255,092, for a total contract amount not-to-exceed \$776,012).

### **AMENDED**

**Frank Pugsley gave a little background on this item. Bafford asked if he has talked about an acceptance criterion for the engineering of the facility sludge dewatering system.**

**Pugsley answered that is all in the design which was pretty extensive.**

**Board Member Bafford motioned to approve this item with a second by Board Member Cheek. Vote 7-0.**

- B. **PUB19-166** - Consider recommending adoption of an ordinance of the City of Denton, approving a City sponsorship in an amount not to exceed \$287.42 of in-kind services and resources for Keep Denton Beautiful annual Community Tree Giveaway event on Saturday, October 21, 2019; and providing an effective date.
- C. **PUB19-169** - 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 Sun Coast Resources, Inc., for the supply of corrosion inhibitor and monopropylene glycol cooling water additives for Denton Energy Center; providing for the expenditure of funds therefor; and

providing an effective date (IFB 7065 - awarded to Sun Coast Resources, Inc., in the three (3) year not-to-exceed amount of \$87,045).

- D. **PUB19-172** - Consider recommending adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or his designee, to execute approval documents under the Joint Operating Agreement of the Texas Municipal Power Agency (“TMPA”) among and between the Texas Municipal Power Agency, City of Bryan, Texas, Denton, Texas, the City of Garland, Texas and the City of Greenville, Texas, regarding the TMPA budget for the fiscal year 2020; providing for the expenditure of funds therefore; and providing an effective date.

**Smith Day was here to answer questions for this item. Bafford asked if this is budgeted, Day answered it is.**

**Board Member Bafford motioned to approve this item with a second by Board Member Soph. Vote 7-0.**

- E. **PUB19-173** - Consider recommending adoption of an ordinance of the City of Denton (“City”) authorizing the Mayor to act on the City’s behalf in executing an amendment to the Joint Operating Agreement (the “JOA”) by and between, and among, Texas Municipal Power Agency (the “Agency”) and the cities of Bryan, Denton, Garland, and Greenville (The “Parties”); and, providing an effective date.

**Smith Day talked about this item, stating it cleans up the agreement in areas that wasn’t clear. Bafford had a question about the mayor in this agreement. Larry Collister responded to the questions.**

**Board Member Bafford motioned to approve this item with a second by Board Member Cheek. Vote 7-0.**

- F. **PUB19-176** - 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 Techline, Inc., for LED luminaires for street lighting, providing for the expenditure of funds therefor; and providing an effective date (RFP 6991 - awarded to Techline, Inc. in the five (5) year not-to-exceed amount of \$4,000,000).
- G. **PUB19-177** - 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 Techline, Inc. for LED Control System; providing for the expenditure of funds therefor; and providing an effective date (RFP 6992 - awarded to Techline, Inc., in the five (5) year not-to-exceed amount of \$2,086,865).
- H. **PUB19-178** - 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 DDM Construction Corporation, for the Bonnie Brae Roundabout; providing for the expenditure of funds therefor; and providing an effective date (IFB 7027 - Change Order No. 1 in the not-to-exceed amount of \$585,310.35 for a total contract award aggregated to \$3,490,847.05).

**Jim Jenks talked briefly about this item stating this is the first change order for this contract and gave a few details.**

**Bafford asked if this is to relocate water, did they not know it needed to be relocated. Jenks answered it was part of the roundabout throughout and gave details.**

**AMENDED**

**Bafford then asked what process is there to note the location of buried lines on existing drawings. Jenks stated staff has a process of adding the assets to record drawings when installed or discovered.**

**Board Member Bafford motioned to approve this item with a second by Board Member Soph. Vote 7-0.**

**2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. PUB19-158 - Consider approval of the Public Utilities Board Meeting minutes of August 26, 2019.**

**Approved as circulated.**

- B. PUB19-171 - Consider recommending adoption of an ordinance of the City of Denton, Texas authorizing the expenditure of funds for the payment of wholesale transmission charges in the total amount of \$1,884,599.05 to Cross Texas Transmission for \$107,104.68, Electric Transmission Texas, LLC for \$400,935.39, Lone Star Transmission for \$132,410.26, Lower Colorado River Authority for \$634,435.18, Wind Energy Transmission Texas for \$93,796.66, ONCOR - NTU for \$515,916.88 and, providing an effective date**

**Tony Puente gave this presentation. This is an administrative approval process, these are the wholesale charges.**

**Bafford asked if there is a standard formula for the cost that is distributed. Puente answered it is through the Public Utility Commission of Texas.**

**Board Member Bafford motioned to approve this consent agenda item with a second by Board Member Soph. Vote 7-0 approved.**

- C. PUB19-174 - Consider recommending adoption of an ordinance of the City of Denton, a Texas municipal home-rule corporation, approving an agreement between DB Denton II, LLC., a Delaware limited liability company, Allegiance Hillview, L.P., a New York limited partnership, and the City regarding the funding and construction of sanitary sewer improvements which are adjacent to and will serve portions of the Rayzor Ranch Development; and, providing for an effective date.**

Kenneth Banks gave the presentation on this item. This project is associated with the Rayzor Ranch development that involves the sewer line. Banks went into detail about the sewer line needing to be upsized to handle the flow.

The developer is paying for the costs associated with this project, and those funds have been received. The City of Denton is managing the project and will use its own crews to install a part of this line. A good portion of this project will be through a pipe bursting process.

Board Member Soph stated this study was completed in 2007, why wasn't this completed at that time. Banks answered it has to do with the overall project, at the time the line didn't need to be upsized. It does need it now, it is really balancing the timing of the project.

Chair Parker asked what is typical the life span of a sewer line. Banks answered there are many variables, staff cameras all the infrastructure on the sewer side and we have an asset management program that we run so it could be thirty plus years.

**Board Member Soph motioned to approve the consent agenda item with a second by Board Member Devinney. Vote 7-0 approved.**

**D. PUB19-156** - Assistant City Manager Update:

1. Billing Audit Measures Follow Up
2. Future Agenda Items
3. Matrix

**3. CONCLUDING ITEMS**

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

Charlie Parker and Barbara Russell introduced themselves as new members.

Cheek – asked about orientation for the new members

**Adjournment: 8:43am**

<small>DocuSigned by:</small>  <small>D7178552EE3B4F6...</small>	10/2/2019
Chair Susan Parker	Date

<small>DocuSigned by:</small>  <small>74FB3BF074D424...</small>	10/2/2019
Kim Mankin	Date