



# Board of Light, Gas and Water Commissioners

220 S. Main Street  
Memphis, TN 38103  
www.mlgw.com

## Board Meeting

~ Minutes ~

Wednesday, January 6, 2016

1:00 PM

Board Room

### CALL TO ORDER AND OPENING REMARKS:

Chairman Sisnett

The meeting was called to order at 1:01 p.m.

### PLEDGE OF ALLEGIANCE:

Chairman Sisnett

The Pledge of Allegiance was recited.

### ROLL CALL:

Dana Jeanes

Attendee Name	Title	Status	Arrived
Derwin Sisnett	Chairman	Present	
Darrell T. Cobbins	Vice Chairman	Present	
Steven Wishnia	Board Member	Present	
Carlee McCullough	Board Member	Present	
Rick Masson	Board Member	Present	

The following staff members were present: Jerry R. Collins, Jr., President and CEO; Dana Jeanes, Vice President, CFO and Secretary-Treasurer; Cheryl Patterson, Vice President and General Counsel; Nick Newman, Vice President, Construction and Maintenance; Alonzo Weaver, Vice President, Engineering and Operations; and Von W. Goodloe, Vice President, Human Resources. Lashell Vaughn, Vice President and Chief Technology Officer and Christopher Bieber, Vice President, Customer Care did not attend the meeting.

### APPROVALS:

**Motion To:** Approve Minutes of the Meeting of December 16, 2015.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rick Masson, Board Member
<b>SECONDER:</b>	Steven Wishnia, Board Member
<b>AYES:</b>	Sisnett, Cobbins, Wishnia, McCullough, Masson

### CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated December 15, 2015, Item 22; Items 25 through 35; Items 54 and 55; and Items 59 and 60. (See Minute File No. 1396.)

### PRESENTATIONS:

(None)

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Donna Bohannon, 5343 Sea Isle, addressed the Board and spoke of the "Smart Meter Opt-Out" Resolution passed by the City Council the previous evening. She gave a copy of the Resolution to President Collins and Chairman Sisnett. She asked that the MLGW Board Members pass the same Resolution. She stated that the Resolution would be a "win-win situation" for all.
2. John Burwell, 2763 Windsor Parkway, also requested that the MLGW Board Members pass the "Smart Meter Opt-Out" Resolution.
3. Laura Smith, 4851 Brentdale Ave., stated she has been a MLGW customer for over 45 years and continues to receive duplicate billing. She stated she has addressed this problem with the Lamar office and with the Main Street office and has not been able to get the problem resolved. She stated there was a lack of response from both offices, and is requesting help today. President Collins took her phone numbers and asked Bill Bullock to take Ms. Smith to a private area and help her resolve this problem.
4. Bill Hawkins, IBEW Assistant Manager, 4000 Clearpool Circle, stated he wanted to address the comments made by Craig Powers at the last Board Meeting. He stated he spoke with the State of TN Department of Labor and Workforce Development in Nashville and the hazard allegations are not just an open and shut case. He stated he was told if the Union was not satisfied with the actions and corrections made by management, the case would be re-opened. Mr. Hawkins also discussed the "Smart Meter Opt-Out" Resolution passed at the City Council Meeting on January 5, 2016.
5. Minister Suhkara Yahweh, 870 E. McLemore Avenue, stated he talked to his 3 month old great grand baby prior to the meeting and stated he had requested that the City Council direct MLGW to stop putting "rat poison" in the drinking water. He stated he is frustrated and questioned if it is intentional in order to kill off the population. He handed a copy of a letter dated February 18, 2015 to Chairman Sisnett, which addressed some of his concerns.

**PRESIDENT'S BRIEFING:**

1. Review of Consent Agenda - Jerry R. Collins, Jr.

(President's Briefing Continued on Page 117)

The original of the resolutions and documents relating to each item is filed in the vault on the fifth floor of the MLGW Administration Building, 220 South Main. The original documents shall control in the event of any conflict between the description and these minutes and the original documents.

**CONSENT AGENDA**

(Items 1 through 15)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Darrell T. Cobbins, Vice Chairman
<b>SECONDER:</b>	Steven Wishnia, Board Member
<b>AYES:</b>	Sisnett, Cobbins, Wishnia, McCullough, Masson

**CONSTRUCTION & MAINTENANCE DIVISION**

1. Resolution approving Change No. 4, to Contract No. 11640, Line Clearance, with ABC Professional Tree Services, in the funded amount of \$10,814,217.67. (The initial term of the contract was for one year from the date of the Notice to Proceed with an option of four annual renewal terms. This change is to renew the current contract for the second of four annual renewal terms for the period covering February 17, 2016 through February 16, 2017. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution awarding individual purchase orders for a thirty-six month period to Oldham Construction Company LLC, d/b/a Oldham Crane and Barnhart Crane and Rigging Company, for the rental of cranes with lift capacities ranging from 100-600 tons in size, on an as-needed basis, based on unit prices in an amount not to exceed \$300,000.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving Change No. 1 to Contract No. 11703, Administration Building Uninterrupted Power Supply Generator Replacement, with Pyramid Electric, Incorporated, with no increase in the contract value. (Jozelle Booker) (The initial term of this contract was for 12 months from the date of the Notice to Proceed, with an end date of January 20, 2016. This change is to extend the current contract through April 20, 2016. This extension is needed due unforeseen issues encountered, resulting in a project delay. In addition, the extension will allow time for corrections, completion of the project, and final inspections.) (Jozelle Booker)

**CUSTOMER CARE DIVISION**

(None)

**ENGINEERING & OPERATIONS DIVISION**

4. Resolution approving Change No. 11 to Contract No. 10580, Service Agreement, with Motorola, Incorporated, in the funded amount of \$49,193.40. (This change is to renew the current contract for annual maintenance and support services for an additional one year term for the period covering March 1, 2016 through February 28, 2017.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
5. Resolution approving Change No. 3 to Contract No. 11501, Geotechnical Investigation, with Professional Services Industries, Incorporated, with no increase in the contract value. (This change is to renew the current contract for the third of four annual renewal terms covering the period October 16, 2015 through October 15, 2016.) (Jozelle Booker)
6. Resolution approving the payment of an invoice from the Tennessee Valley Public Power Association, for the 2015 Annual Membership dues, in the amount of \$51,184.73. (Alonzo Weaver) (REQUIRES CITY COUNCIL APPROVAL)

7. Resolution approving Change No. 2 to Contract No. 11450, Peak Period Call Management System, with Twenty First Century Communications, Incorporated, with no increase in the contract value. (The initial term of the contract was for 60 months from the date of the Notice to Proceed with an end date of January 31, 2016. This change is to extend the current contract for six months covering the period February 1, 2016 through July 31, 2016. This extension is needed to allow time for MLGW to complete the implementation of the new High Call Volume contract. On November 4, 2015, four proposals were received under Contract No 11817 for High Volume Outage Call Management. The Evaluation Team anticipates completing its review and presenting an award recommendation to the LGW Board of Commissioners at its January 20, 2016 meeting. The projected implementation period is approximately 6 months.) (Jozelle Booker)

#### **FINANCE DIVISION**

8. Resolution is presented in order to comply with the U.S. Supreme Court's ruling of June 26, 2015, Obergefell v. Hodges, requiring MLGW to extend spousal benefits under the Pension System to same-sex spouses identical to benefits available under the Plan to opposite-sex spouses. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)
9. Resolution approving an amended Tennessee law, as of July 1, 2015, which requires governmental plans to make payments under court order from the Plan to divorcees. The amendment is made in Article XIII, Section 13.1. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution awarding a contract to Engineered Sealing Components, LLC, for reducing compression couplings, in the amount of \$304,200.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

#### **GENERAL COUNSEL DIVISION**

11. Resolution approving Change No. 1 to Contract No. 11678, Riskmaster Replacement, with Legal Files Software, Incorporated, in the funded amount of \$2,879.00. (The MLGW Board, at its June 5, 2014 meeting, approved the award of Contract No. 11678 for a term of one year from the date of the Notice to Proceed with four annual renewal options. However, the term of the executed contract is for a one year term with provisions for annual renewals for software maintenance and support services. Approval of this action corrects the record to reflect the actual term of the executed contract. In addition, this change is to renew the annual maintenance and support services for the period covering December 10, 2015 to December 9, 2016. Lastly, this change is to ratify the payment of \$2,879.00 for the annual maintenance and support services which was paid prior to the renewal of the covered term.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

#### **HUMAN RESOURCES DIVISION**

12. Resolution approving the amendments to MLGW Human Resources Policy, #22-22, Time Off for Death in Family or to Attend an Employee Funeral. (Jerry R. Collins, Jr./Von Goodloe)

13. Resolution approving Position No. 01016 - Machine Operator. (Jerry R. Collins, Jr./Von Goodloe)

**INFORMATION SERVICES DIVISION**

14. Resolution awarding a contract to Business Line Systems, Inc., for Novell Software maintenance, in the amount of \$347,213.95. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
15. Resolution awarding a contract to Fujitsu America, Inc., for maintenance and support for Enterprise Server CS500 Virtual Tape solution, in the amount of \$39,805.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT'S DIVISION**

(None)

**PRESIDENT'S BRIEFING (Continued):**

2. Other - Jerry R. Collins, Jr.

President Collins stated the Resolution passed at the City Council yesterday would be discussed further with the Board Members over of the next couple of weeks. He stated the City Council will approve their Minutes on January 19, 2016.

President Collins extended "Happy Birthday" wishes to Chairman Sisnett and Commissioner Wishnia. Everyone present sang "Happy Birthday" and was invited for cake following the meeting.

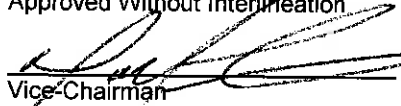
**COMMITTEE REPORTS:**

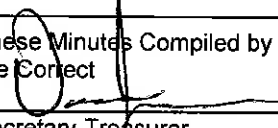
(None)

**ADJOURNMENT :**

There being no further business, the meeting was adjourned at 1:25 p.m.

(See Minute File No. 1397.)

Approved Without Interlineation  
  
Vice-Chairman

These Minutes Compiled by Undersigned and  
are Correct  
  
Secretary-Treasurer