



Board of Light, Gas and Water Commissioners

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

Board Meeting

~ Minutes ~

Wednesday, January 20, 2016

1:00 PM

Board Room

CALL TO ORDER AND OPENING REMARKS: Vice-Chairman Cobbins

The meeting was called to order at 1:03 p.m.

PLEDGE OF ALLEGIANCE: Vice Chairman Cobbins

The Pledge of Allegiance was recited.

ROLL CALL: Dana Jeanes

Attendee Name	Title	Status	Arrived
Derwin Sisnett	Chairman	Absent	
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; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; Von W. Goodloe, Vice President, Human Resources; and Lashell Vaughn, Vice President and Chief Technology Officer.

APPROVALS:

Motion To: Approve Minutes of the Meeting of January 6, 2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rick Masson, Board Member
SECONDER:	Carlee McCullough, Board Member
AYES:	Darrell T. Cobbins, Steven Wishnia, Carlee McCullough, Rick Masson
ABSENT:	Derwin Sisnett

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE: Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated January 5, 2016, Items 11 through 25 and Item 46. (See Minute File No. 1396.)

PRESENTATIONS:

(None)

GENERAL STATEMENTS FROM THE PUBLIC:

1. Jimmie Franklin, 487 Highland, stated he has an appreciation for technology but is concerned about the negative effects of smart meters due to his extensive research. He stated they start fires, triple the costs of utility bills, and damage people's health. He stated his opinion in regard to the opt-out options and the rights of the MLGW customers.

2. Donna Bohannon, 5343 Sea Isle, noted that she is a retired pediatric nurse and stated she is most concerned about public safety regarding smart meter exposure. She was pleased that the City Council passed a Resolution pertaining to the Smart Meter Opt-Out options and is asking the MLGW Board to consider passing a similar Resolution.

3. Minister Suhkara A. Yahweh, 270 E. McLemore Avenue, stated he expected a Smart Meter Opt-Out Resolution to be on today's agenda. He stated he has been studying under Dr. David Carpenter and stressed his concern with smart meters causing breast cancer and childhood health issues.

4. John Burwell, 2763 Windsor Parkway, stated he is here today asking the MLGW Board to pass a resolution similar to item #46 of the City Council Agenda dated January 5, 2016, which is a smart meter opt-out resolution. He stated the meter he has had for the last 30 years works fine and he wants to have the option to keep it.

5. Bill Hawkins, 400 Clearpool Circle, stated he is speaking today regarding two things. He stated he is questioning items 11, 12, and 13 on today's Consent Agenda and asked the Board not to vote on those today until further information is provided. He questioned if the Counsel had been determined yet in regard to the bond issues. Secondly, he stated he has received calls from the meter shop, stating employees are being confronted on a daily basis regarding how to opt out. He requested that smart meter installation be stopped until an Opt-Out Resolution has been passed.

Vice-Chairman Cobbins asked President Collins if he would like to address any of the comments made by the public today. President Collins stated 60,000 smart meters have been installed so far. He stated the opt-out process has been used by about 3.6% of the customers. He stated there is no problem with the current opt-out process and that smart meters do not cause fires, sickness, or cause an increase in the costs of utility bills. Commissioner Wishnia asked if there is an opt-out process in writing, and President Collins confirmed that there is. Vice-Chairman Cobbins requested that all the Board Members receive copies of the written opt-out process and a copy of the City Council Resolution that was referenced earlier, prior to the next Board Meeting. Commissioner Wishnia asked that Mr. Hawkins also be sent this same information.

PRESIDENT'S BRIEFING:

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

(President's Briefing Continued on Page 122)

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)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Wishnia, Board Member
SECONDER:	Rick Masson, Board Member
AYES:	Darrell T. Cobbins, Steven Wishnia, Carlee McCullough, Rick Masson
ABSENT:	Derwin Sisnett

CONSTRUCTION & MAINTENANCE DIVISION

1. Resolution awarding Contract No. 11775, Roof Maintenance, to Dakota Corporation d/b/a Jessie Bryant Roofing, based on approved unit prices, in the funded amount not-to-exceed \$65,000.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution approving payment of an invoice from Tennessee One Call System, Inc., for annual membership dues for the year 2016 plus locate request tickets, in the amount of \$101,514.80. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)

CUSTOMER CARE DIVISION

3. Resolution approving rejection of bids received up to 4:00 p.m., Tuesday, September 16, 2015, for furnishing MLGW with commercial and industrial gas rotary meters. (Jozelle Booker)
4. Resolution approving rejection of bids received up to 4:00 p.m., Tuesday, August 18, 2015, for furnishing MLGW with residential gas meters. (Jozelle Booker)

ENGINEERING & OPERATIONS DIVISION

5. Resolution approving Change No. 2 to Contract No. 11647, Blanket Contract Drilled Pier Foundation, with Reliable Constructors, Incorporated, in the funded amount not-to-exceed \$165,890.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period February 5, 2016 through February 4, 2017. This renewal reflects a 1.88% increase in rates from the previous year due to an increase in material and equipment costs. In addition, this amount includes potential emergency projects.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
6. Resolution awarding Contract No. 11817, High Volume Outage Call Management, to West Notifications, Incorporated d/b/a Twenty First Century Communications in the funded amount of \$2,222,200.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution awarding a contract to W. R. Grace & Company, for molecular sieve and support balls, in the amount of \$58,920.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution approving payment of an invoice from the City of Memphis Public Works Department for the annual sewer discharge fee, for the 2014 filter backwash discharge for seven water

pumping stations, in the amount of \$413,687.17. (Alonzo Weaver) (REQUIRES CITY COUNCIL APPROVAL)

9. Resolution approving Change No. 1 to Contract No. 11715, In-Service Wood Pole Truss Restoration System, with Osmose Utilities Services, Incorporated, based on agreed to rates, in the funded amount of \$600,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 4, 2015 through December 3, 2016.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

FINANCE DIVISION

10. Resolution awarding a contract to Brighter Days and Nites, Inc., for controls, in the amount of \$79,904.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
11. MLGW Division plans to issue tax-exempt Series 2016 Gas System Revenue Bonds in an original aggregated principal amount of not to exceed \$40,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL) (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)
12. MLGW Division plans to issue tax-exempt Series 2016 Water System Revenue Bonds in an original aggregated principal amount of not to exceed \$30,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)
13. MLGW Division plans to issue tax-exempt Series 2016 Electric System Revenue Bonds in an original aggregated principal amount of not to exceed \$40,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City. (Dana Jeanes) (REQUIRES CITY COUNCIL APPROVAL)

GENERAL COUNSEL DIVISION

14. Resolution requesting approval and the decisions to uphold the items reflected in the December 31, 2015 Quarterly Report of the Customer Appeal Committee. (Cheryl Patterson)

HUMAN RESOURCES DIVISION

15. Resolution approving Change No. 4 to Contract No. 11476, Industrial Psychology Services, with Lopez and Associates, in the funded amount of \$42,000.00. (This change is to renew the current contract for a three year term for the period covering April 1, 2016 through March 31, 2019, with no increase from the previous years.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

INFORMATION SERVICES DIVISION

(None)

PRESIDENT'S DIVISION

(None)

PRESIDENT'S BRIEFING (Continued):

2. Other - Jerry R. Collins, Jr.

COMMITTEE REPORTS:

(None)

ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:32 p.m.

(See Minute File No. 1397.)

Approved Without Interlineation

Chairman

These Minutes Compiled by Undersigned and
are Correct

Secretary-Treasurer