



Board of Light, Gas and Water Commissioners

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

Board Meeting

~ Minutes ~

Wednesday, September 16, 2015

1:00 PM

Board Room

CALL TO ORDER AND OPENING REMARKS:

Chairman Sisnett

The meeting was called to order at 1:00 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	Absent	

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 September 2, 2015.

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

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated September 1, 2015, Items 11 through 23. (See Minute File No. 1392.)

PRESENTATIONS:

(None)

GENERAL STATEMENTS FROM THE PUBLIC:

1. Ray Smith, 4817 Fairley, Memphis, addressed the Board expressing his concern with the safety of the citizens around Crump Blvd., Danny Thomas Blvd., and south of Fourth Street because many street lights are out. He also mentioned over growth of trees on power lines. President Collins explained that MLGW is responsible for some of the areas he had concerns with and advised him that Nick Newman will get all the addresses and check into getting these corrected. He did explain that some of the areas he mentioned were the responsibility of TDOT.
 2. Clifton Dates, 1 North Third Street, Memphis, addressed the Board with concerns of the Security contract on today's Consent Agenda. He discussed his concerns of salary reduction and the possibility of the bid being reviewed by the Board. Carlee McCullough asked about the living wage law and Cheryl Patterson responded to the history of the company and how it is not applicable. President Collins stated we were told by the State this is not a valid policy for MLGW.
 3. Billy Schilling, One North Third Street, handed out documents to the Board. He stated he is representing the 100 officers and the concern for the security contract on today's Consent Agenda. He asked the Board to consider evaluating the situation.
 4. Jimmie Walton, 7342 Kingsland Drive, Memphis, also expressed his concern for the employees and Security Officers that would be affected by the contract.
 5. Willie Haynes, 7500 Berryridge Lane, Memphis, stated he has been with CDA for 15 years. He discussed suggestions he had given to Clint Richardson at the time Mr. Richardson was over Security. He stated Mr. Richardson had taken his suggestion by adding a camera to the console where needed and enhanced the safety of the employees. He discussed experience and the knowledge CDA Security Guards have and should continue to serve MLGW.
 6. Ayeshea Mason, 4247 Running Brook Circle, Memphis, addressed the Board asking that the Security contract award be reconsidered.
 7. Akeba Ballard, 2242 Silvervat Drive #7, Memphis, discussed the special needs of the MLGW account and enforced the fact that the officers must be able to articulate and can communicate with various levels of staff and guests. She expressed her concern about the drastic cut in hourly salaries and the negative affect on the officers' lives.
 8. Frank Carter, 470 Foxberry Cove, Memphis, stated Dynamic Security has the lowest bids and no one is going to beat it. However, he states MLGW has a lot to lose basing their decision strictly on pricing. He is asking the Board to reconsider the award of the Security contract.
 9. Quindle Lotts, 3231 Aden Street, Memphis, addressed the Board and stated she is the Security Dispatcher at the Netters location. She states Mr. Walton has strategically placed officers in the appropriate areas based on their knowledge. She discussed CDA's effectiveness in service and production flow, and asked the Board to reconsider the award of the Security contract.
- (Discussion): Chairman Sisnett asked President Collins if he could comment on the concerns of those that had spoken in regard to the Security Contract (#11794). President Collins explained the Ordinance for a living wage and that the Ordinance was outlawed by the State of

Tennessee. The Board Members asked several questions and commented on their concerns. It was decided by the Board that the vote should be delayed to allow more time for research and consideration of the Security contract award.

PRESIDENT'S BRIEFING:

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

(President's Briefing Continued on Page 82)

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 – 7 and 9 – 11)

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

CONSTRUCTION & MAINTENANCE DIVISION

1. Resolution approving Change No. 1 to Contract No. 11699, Large Diameter Directional Drilling, with Memphis Road Boring Company, Incorporated, in the funded amount of \$992,000.00. (This change is to renew the current contract for the first of four annual renewal terms covering the period November 10, 2015 through November 9, 2016, which reflects no increase in rates from the previous year. In addition, this renewal includes a change in the estimated quantity of both units. The estimated quantities reflect the volume of work projected during the renewal period.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

CUSTOMER CARE DIVISION

(None)

ENGINEERING & OPERATIONS DIVISION

2. Resolution approving Change No. 1 to Contract No. 11566, Replacement of Distributed Process Control (DPC) System at the Shaw Water Pumping Station, with Allen & Hoshall, to extend the current contract with no increase in the contract value. (Jozelle Booker)
3. Resolution awarding a contract to Sensit Technologies, for the purchase of multiple gas detectors, in the amount of \$272,680.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
4. Resolution approving Change No. 2 to Contract No. 11573, Capleville LNG Optimization Study, with CHI Engineering, with no Increase in the contract value. (This change is to ratify the

extension of the contract for an additional four months covering the period September 5, 2015 through January 4, 2016. The project was delayed due to changes in operations at the LNG plant. This extension will allow time to complete the project.) (Jozelle Booker)

FINANCE DIVISION

5. Resolution awarding a thirty-six month contract to Ruffin and Associates, for concrete standards, in the amount of \$2,432,137.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

GENERAL COUNSEL DIVISION

6. Resolution approving Contract No. 11830, Plumbing Services, to Owens Construction Services, in the funded amount of \$550,002.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

HUMAN RESOURCES DIVISION

7. Resolution awarding Contract No. 11750, Flexible Spending Administrator, to WageWorks, Incorporated, in the funded amount of \$103,860.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

8. **Motion To:** Move Item No. 8 to the Regular Agenda

RESULT:	APPROVED [UNANIMOUS] - MOVE ITEM NO. 8 TO REGULAR AGENDA
MOVER:	Darrell T. Cobbins, Board Member
SECONDER:	Steven Wishnia, Board Member
AYES:	Derwin Sisnett, Darrell T. Cobbins, Steven Wishnia, Carlee McCullough
ABSENT:	Rick Masson

INFORMATION SERVICES DIVISION

9. Resolution approving Change No. 6 to Contract No. 11363, Graphical User Interface Replacement Software, with Rocket Software, in the funded amount of \$11,018.20. (This change is to renew the annual subscription for LegaSuite software support for the graphical user interface solution for the period covering January 1, 2016 through December 31, 2016. In addition, this renewal includes a 1.6% increase from the previous year due to changes in the Consumer Pricing Index (CPI). MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Rocket Software.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution approving Change No. 3 to Contract No. 9943, Graphics Reporting Software Package, with Allen Systems Group, Incorporated (ASG), in the funded amount of \$36,790.89. (This change is to renew annual software maintenance, licenses, and support services for one year covering the period October 31, 2015 through October 30, 2016, with no increase in rates from the previous year. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ASG, Incorporated.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
11. Resolution approving Change No. 5 to Contract No. 10927, Perpetual Licensing Agreement, with Pitney Bowes Software, Incorporated, in the funded amount of \$160,272.00. (This change

is to upgrade from the current DOC 1 version 4 to EngageOne. DOC1 version 4 has reached the end of its useful life and is being replaced with EngageOne. Change No. 4 dated November 20, 2014 reflected a request in the amount of \$100,855.00 for this upgrade; however, the Change only covered the renewal of the maintenance and support services. The documents submitted with the Change referenced MLGW's intent to upgrade to EngageOne. The EngageOne product has the same functionality as the DOC1 version 4, but with the capability for future expansion.) (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT'S DIVISION

(None)

REGULAR AGENDA

(Item No. 8)

Motion To: TABLE ITEM NO. 8 TO ALLOW TIME FOR FURTHER CONSIDERATION

RESULT:	APPROVED [UNANIMOUS] – TABLE ITEM NO. 8
MOVER:	Darrell T. Cobbins, Board Member
SECONDER:	Carlee McCullough, Board Member
AYES:	Derwin Sisnett, Darrell T. Cobbins, Steven Wishnia, Carlee McCullough
ABSENT:	Rick Masson

Item No. 8 – Resolution awarding Contract No. 11794, Security Services, to Dynamic Security, Incorporated, in the funded amount of \$2,487,929.73. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT'S BRIEFING (Continued):

2. Human Resources Policy # 22-06 - Accommodations for Nursing Mothers - Rutha Griffin reviewed the policy and gave the Board Members an opportunity to ask questions.

3. Human Resources Policy #22-11 - Family Medical Leave Act - Rutha Griffin reviewed the changes to the policy, which redefined the term "spouse" and added the definition of "step-parent".

4. Human Resources Policy #23-03 - Parking and Traffic Rules - Rutha Griffin reviewed the recommended changes to the policy which are summarized on page 30 of the President's Briefing packet.

5. Other - Jerry R. Collins, Jr. (*Discussion after Committee Reports*)

President Collins stated that he had sent the Commissioners additional information regarding the two employees that addressed the Board at the last Board Meeting, pertaining to the selection process for the training position in the Gas Fitter Department. Commissioner Wishnia asked about the confusion of the salary. Commissioner Cobbins stated he was concerned about the lack of communication, i.e., failure to post the job in certain areas. President Collins acknowledged there was a mistake made. Eric Conway and Rutha Griffin approached the podium to provide details regarding the mistake that was made in the posting. Eric Conway

explained that there were seven to nine employees that applied. Mr. Conway had requested each one call for a phone interview; however, only four called to set up the phone interview. After additional discussion, it was decided that all applicants should be given a face-to-face interview.


COMMITTEE REPORTS:

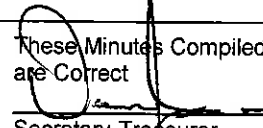
1. Human Resources Committee Report - Vice-Chairman Darrell Cobbins stated at the last Committee Meeting the Safety Report was given by William McCaig. Also, the Diversity Report indicated they are continuing to educate and encourage women to get into jobs that are normally male dominated. He stated Rutha Griffin had reviewed the policy changes presented earlier today.
2. Supplier Diversity Update - Second Quarter, 2015 - Renise Holliday reported the second quarter spend. She stated since the program began in 1996, this quarter out performed with 41%, the highest in history. Jozelle Booker also commented on how well the program is doing and stated she is very proud of the accomplishments made.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:29 p.m.

(See Minute File No. 1393.)

Approved Without Interlineation

Chairman

These Minutes Compiled by Undersigned and
are Correct

Secretary-Treasurer