



Board of Light, Gas and Water Commissioners

220 S. Main Street
Memphis, TN 38103

Board Meeting

www.mlgw.com

~ Preliminary Agenda ~

Wednesday, October 6, 2021

8:30 AM

Board Room

INFORMATION FOR THE BENEFIT OF THE PUBLIC:

Public Notice: Regular board meetings are held the first and third Wednesdays of the month at MLGW's Administration Building unless otherwise noted in the public notice filing and website. The proposed agenda will be posted in the public section of the ground floor lobby of the Administration Building and on MLGW's website at least 48 hours before the Board meets. You may access the proposed Board agenda and all available documents related to the items linked from the agenda on the Internet at: www.mlgw.com. Large agreements, items related to Homeland Security or items received too late to post may not be viewable. You may view those documents in the Public Records Office prior to or after the Board meeting. By Board action, agenda items may be added, deleted or held for later consideration at a later board meeting.

Consent Agenda: Items shown under the Consent Agenda consists of items considered to be routine and non-controversial upon which the documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion during the Board meeting. The use of the Consent Agenda is designed to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The Chairman will call for approval on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. At the request of a Board member, the Chairman may move any item on the Consent Agenda to the Regular Agenda.

Regular Agenda: Item(s) to be individually considered for Board action.

Filed Items: The Board may be provided information which does not require Board approval or Board discussion but which is noted for the official record as having been supplied to the Board.

Resolutions: Generally, there are two types of resolutions subject to approval by the MLGW Board of Commissioners. Internal Board Resolutions are within the full authority of the Board and considered final upon the acceptance of the minutes of that board action. External Board Resolutions are subject to the approval of the City Council and are not considered final until the City Council accepts the minutes of their approval for such.

ADA: As a covered entity under Title II of the Americans with Disabilities Act, MLGW does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. To ensure availability, such request should be made 72 hours in advance by contacting Linda Ford at (901) 528-4323 during business hours.

To Officially Communicate to the Board: Any individual member or group of the general public desiring to address the Board orally on items of interest to the public that are within the subject matter jurisdiction of the Board, shall complete an **MLGW Board Speaker Card** to make such desire known to the Board Secretary. Such request to be heard should be marked with the date of the meeting; the agenda item number; if the comments are in support, opposition, or general as they relate to the item; the speaker's name and address; and if the speaker is representing someone else as a paid consultant. Paid lobbyists must complete the required disclosure of their client's name, phone number, and address. Statements shall not exceed three minutes unless additional time is granted by the Board Chair. When recognized, please proceed forward to the podium and state your name and address. The board and staff will not answer questions that are asked in this forum but written questions or a written statement may be provided to the Board Secretary for entry into the official record. If any Board member receives approval of the Board Chairman, that Board Member may address questions to the person providing the public statement.

CALL TO ORDER AND OPENING REMARKS: Chairman Graves

PLEDGE OF ALLEGIANCE: Chairman Graves

ROLL CALL: Dana Jeanes

APPROVALS:

Approve Minutes of the Meeting of September 15, 2021.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE: Dana Jeanes

Receipt of Certified Copies of City Council Resolutions, Items 20 through 23, dated September 21, 2021.

PRESENTATIONS:

1) APGA - SOAR (System Operational Achievement Recognition) - Nick Newman/Virgil Deanes - Award Team: Richard Crick/Russell Webb/Chandrika Winston/Eric Conway/Mark Ward/Clifton Phillips

GENERAL STATEMENTS FROM THE PUBLIC:

PRESIDENT'S BRIEFING:

1. Review of Consent Agenda - J. T. Young

(President's Briefing Continued on Page 4)

CONSENT AGENDA

(Items 1 through 12)

CHIEF CUSTOMER OFFICER

1. Resolution authorizing execution of Contract No. 12290, Interlocal Agreement between MLGW and the Town of Arlington for storm water user fee billing services within the corporate limits of the town of Arlington, TN. (Jim West) (REQUIRES CITY COUNCIL APPROVAL)

CHIEF INFORMATION OFFICER

2. Resolution approving Change No. 4 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated, in the funded amount of \$464,769.00. (This change is to add to the current contract value for implementation services to upgrade the MLGW Power Plan software from the

current version v2021.1 to v2021.2 and to add Integrated Customer Assessment (ICA) Recommendation training for the period covering January 1, 2022 through December 31, 2022. In addition, the upgrade is to add a Test Scripts & Test Management Tool and Fixed Asset End User Training. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by PowerPlan, Incorporated.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

3. Resolution approving Change No. 3 to Contract No. 11933, IVR Replacement with DiRAD Technologies, in the funded amount of \$4,384,271.84. (This change is to increase the current contract in the amount of \$418,918.62 due to the closing of community offices by adding additional features to the Interactive Voice Response (IVR) system during the Covid-19 Pandemic to better communicate with customers. Also, this change is to add 16 additional features in the amount of \$893,949.57 through October 5, 2022. In addition, this change is to extend the annual maintenance and support from October 6, 2022 through October 5, 2027 in the amount of \$3,071,403.65. The total funded amount of this increase, change and extension are \$4,384,271.84. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by DiRAD Technologies.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

CHIEF PEOPLE OFFICER

4. Resolution approving a Computer Software Specialist 3 position. (J. T. Young/Jackie Jones)
5. Resolution awarding Contract No. 12223, Ergonomics Program to The Institute of Health & Human Performance dba BOKINETIX in the funded amount of \$115,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

COMMUNITY & EXTERNAL AFFAIRS

(None)

DESIGN CONSTRUCTION & DELIVERY

(None)

ENGINEERING & OPERATIONS

6. Resolution approving Change No. 5 to Contract No. 11868, Water Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to extend the current contract for the period covering November 21, 2021 through November 20, 2022, based upon agreed upon rates, with no increase in the contract value.) (Randy Orsby)
7. Resolution approving Change No. 5 to Contract No. 11866, Gas Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to extend the current contract for the period covering November 21, 2021 through November 20, 2022. Under

Chapter-86 statute for utility relocations, TDOT will reimburse MLGW for 100% of the engineering consultant costs related to eligible projects.) (Randy Orsby)

8. Resolution approving Change No. 5 to Contract No. 11865, Electric Design for Tennessee Department of Transportation (TDOT) with Allen & Hoshall, with no increase in the contract value. (This change is to extend the current contract for the period covering November 21, 2021 through November 20, 2022. Under Chapter-86 statute for utility relocations, TDOT will reimburse MLGW for 100% of the engineering consultant costs related to eligible projects.) (Randy Orsby)

PRESIDENT

(None)

SVP, CFO & CAO, FINANCE

(None)

SVP, CHIEF OPERATING OFFICER

(None)

SHARED SERVICES

9. Resolution ratifying and awarding Contract No. 12310, Administration Building Garage Structural Repairs to Zellner Construction Services, LLC in the funded amount of \$1,934,600.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution awarding Contract No. 12177, Substation Roof Replacement to B-Four Plieed, Inc. in the funded amount of \$526,973.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

VP & GENERAL COUNSEL

11. Resolution approving a rate change for the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. on an "as needed" basis, at the following hourly rates: Shareholder - \$300 and Associates - \$250. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving an amended rate schedule for the law firm of Butler Snow, LLP at the following hourly rate ranges: Special: \$500, Partner I: \$350-\$375, Partner II: \$300-\$345, Associate I: \$270-\$295, Associate II: \$230-\$265, and Paralegal: \$175. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT'S BRIEFING (Continued):

2. Second Quarter, 2021 - Corporate Scorecard - Von Goodloe
3. Quarterly Compliance Report - Cheryl Patterson
4. 2022 Preliminary Budget Review - J. T. Young
5. Other - J. T. Young

COMMITTEE REPORTS:

(None)

ADDITIONAL MEETING

Human Resources Committee Meeting –
Immediately Following the MLGW BOC Meeting - MLGW Board Room